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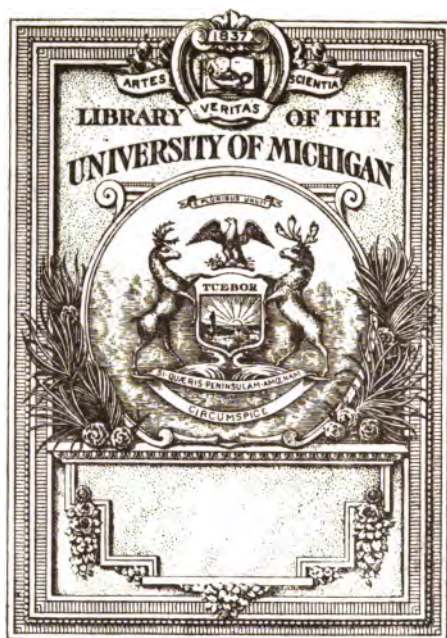
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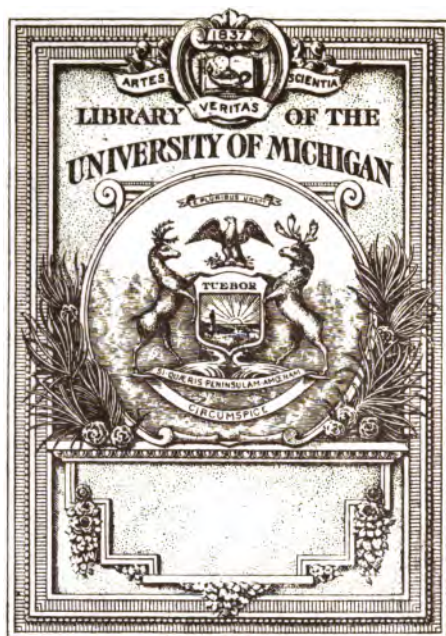
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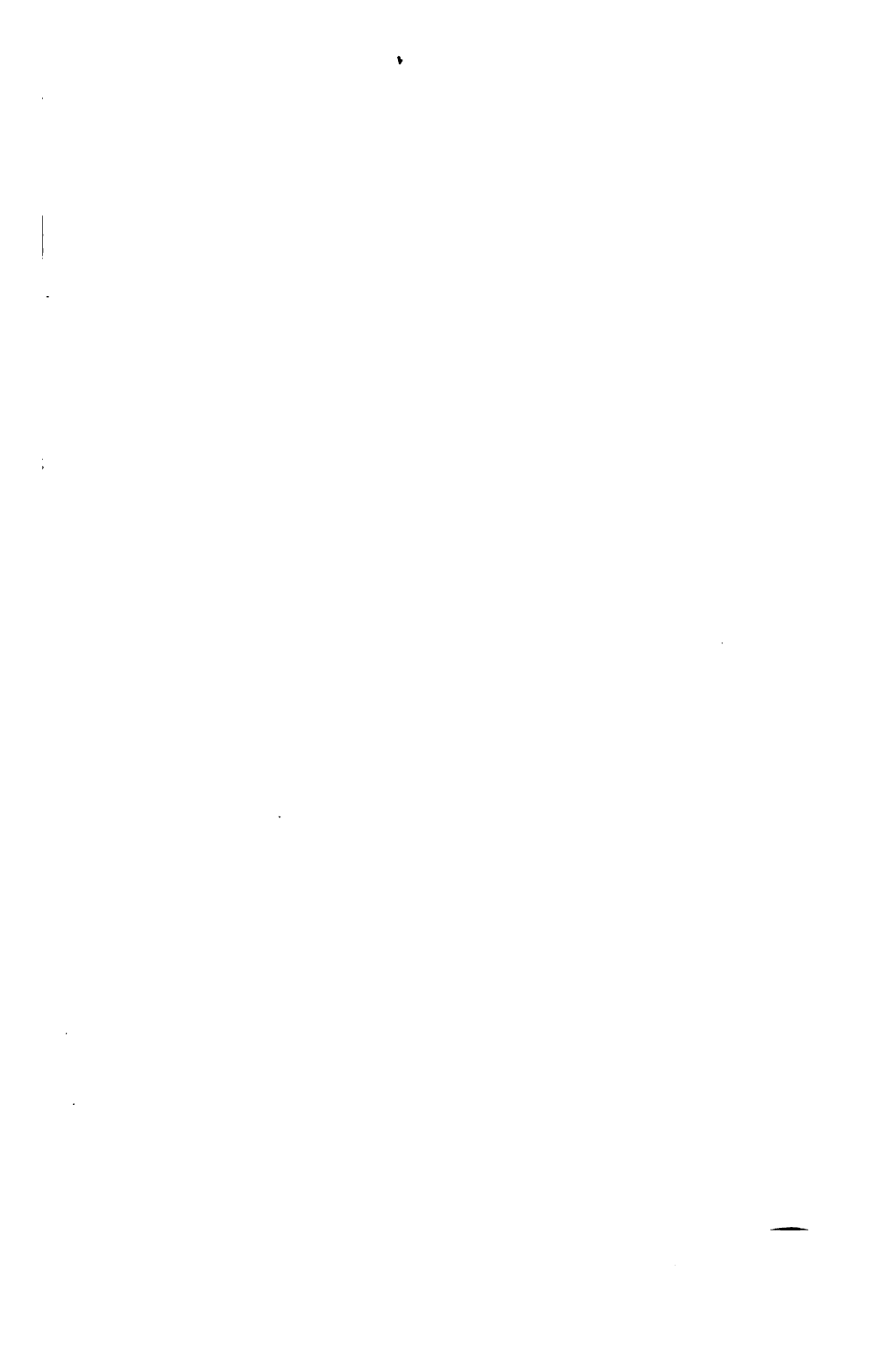


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**COLLEGE
HISTORIES
OXFORD**

ALL SOULS COLLEGE







From a photograph by the

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THE "TYPUS COLLEGII" (1598)

University of Oxford

COLLEGE HISTORIES

BY

C. GRANT ROBERTSON

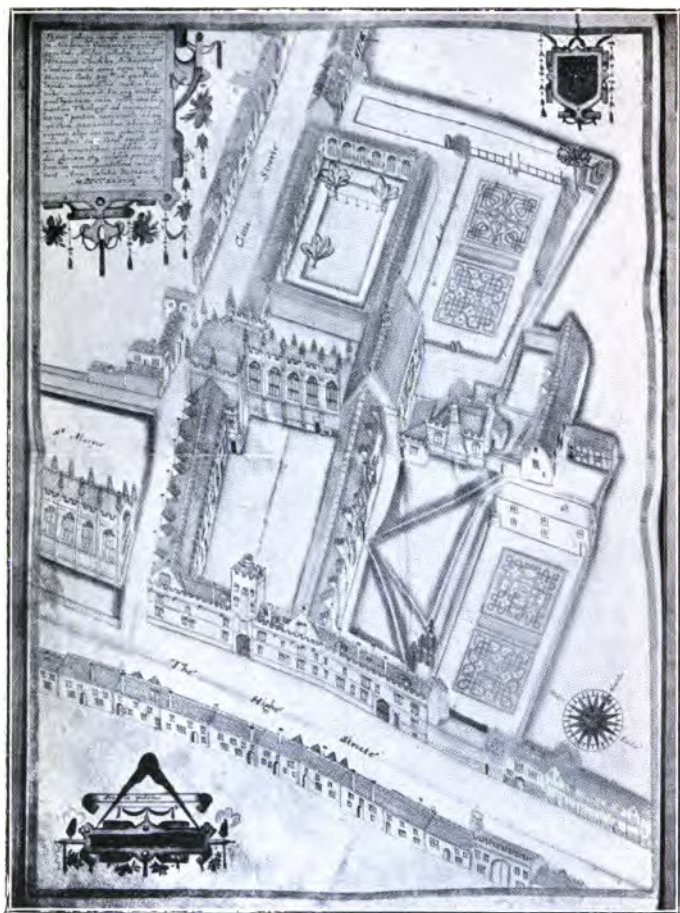
PROFESSOR OF HISTORY AND DOMESTIC ECONOMY OF ALL SOUS COLLEGE

LONDON

F. E. ROBINSON

10 GREAT RUSSELL STREET, BLOOMSBURY

1899



From a photograph by the

[Oxford Camera Club

THE "TYPUS COLLEGII" (1598)

1944

1945

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1947

1948

1949

1950



University of Oxford

COLLEGE HISTORIES

ALL SOULS COLLEGE

BY

^{Charles}
C. GRANT ROBERTSON

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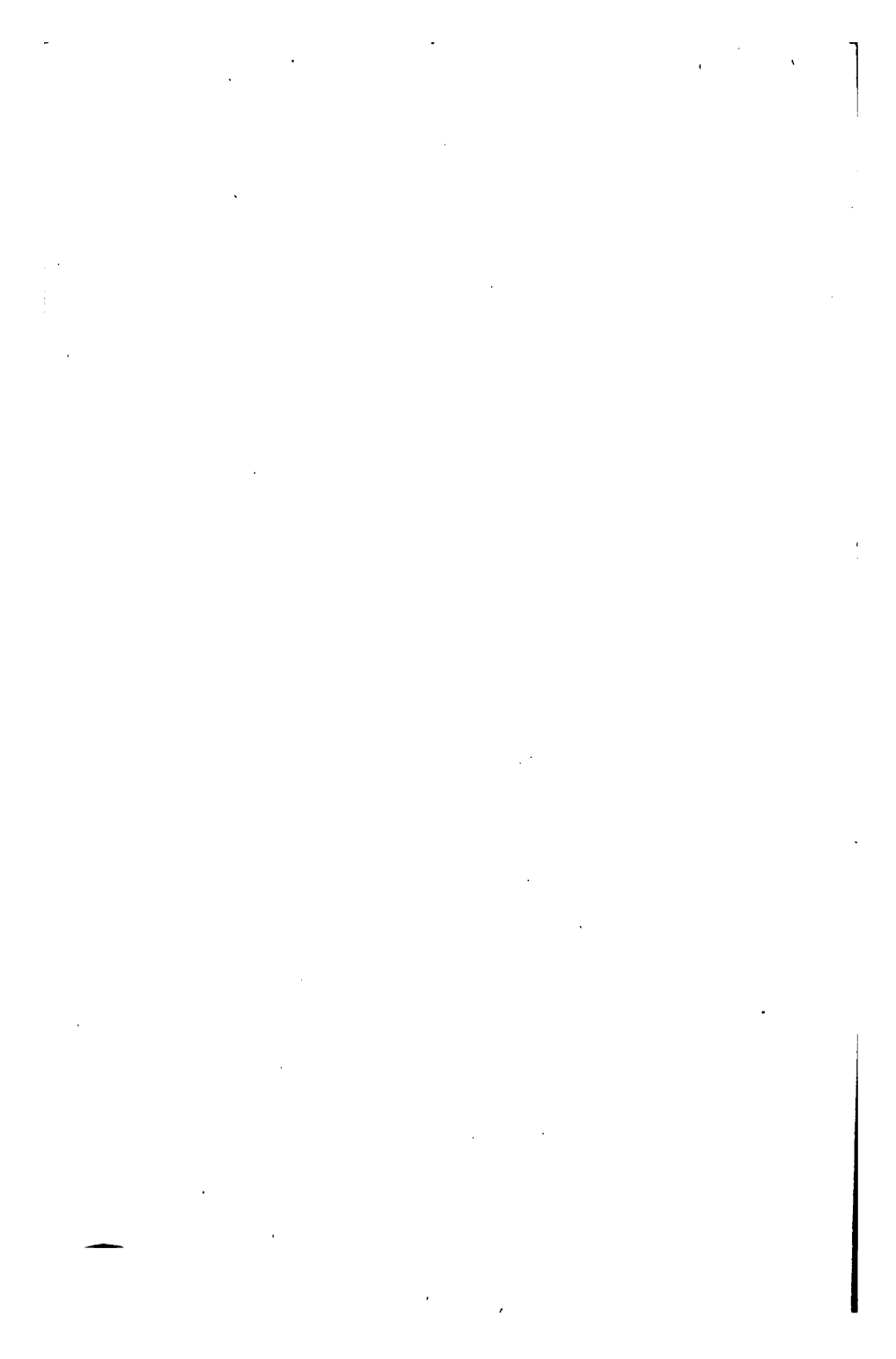
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PREFACE

To write in two hundred pages an exhaustive history of All Souls College, the materials for which are so full and varied, would be a task beyond the power of even the most skilful pen. With the space at my disposal it has only been possible to indicate, mainly by means of the Archives and other College Records, an outline of the chief features of general interest in each successive stage of the historic development of the College. Nor has any attempt been made to supply even miniature biographies of the distinguished men such as Sheldon, Wren, Blackstone, and many others whom All Souls is proud to own as her sons, since abler and more learned authorities have already more than fulfilled the duty in the magnificent *Dictionary of National Biography*, not to mention the well-known volume of *The Worthies of All Souls*, by Prof. Burrows. The tenth chapter represents an effort to frame from internal resources a sketch of the constitutional evolution of the College in the present century, the story of which, though a deeply interesting episode in the history of the modern University, has so far not been narrated in print. Yet for reasons that will easily be understood the narrative has been confined to a statement of facts. For a

junior Fellow, even if he had the wish, to appreciate or eulogise the career of any member of All Souls now living would be either superfluous or impertinent.

To two kind friends I gladly confess I am under special obligations. The Warden from first to last has done everything in his power to smooth the difficulties of the annalist's task. He has allowed me to importune him in season and out of season: nor have even the arduous labours of the Vice-Chancellorship prevented him from reading the following pages in MS. The last chapter, indeed, could never have been written had it not been for his aid. Would that the result as a whole proved more satisfactorily how much I have profited by his knowledge, criticism, and advice. Prof. Burrows not only put at my disposal his volume on *The Worthies of All Souls*, but most generously handed over to me all the notes he had made for a second edition. Only those who know how complete a master Prof. Burrows is of everything relating to the history of the College, can understand the value of this assistance. The writer can but hope that some of those who may turn over the pages of this little book may be led to increase their knowledge in the ampler and more sustaining air of Prof. Burrows' *Magnum Opus*. Yet gratitude must not be permitted to shift the burden of the written word. For any statement made, or opinion expressed, the author is alone responsible.

Notice may perhaps be drawn here to the Frontispiece, the view of All Souls known as Warden Hovenden's *Typus Collegii*. It is now published from the Archives for

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the first time, and the Oxford Camera Club and the Publisher have spared no pains to make the facsimile a success, though the difficulties of printing a very reduced reproduction of an old and singularly detailed drawing have been almost insuperable.

Finally, my best thanks are due to Mr. G. H. Holden, the sub-librarian of "the Codrington," for much timely help, and to my colleague Mr. H. W. C. Davis, a contributor to this series, whose criticism and advice, both on the MS. and the proofs, have saved me from numerous errors and slips.

C. GRANT ROBERTSON.

ALL SOULS COLLEGE,
March 16, 1899.

[NOTE.—Apart from printed sources of information indicated in the text, reference in the main is made to the following MSS. : (1) *The Archives*; (2) *The Register, i.e.*, the Register of Fellows from the Foundation of the College, which is full of illustrative comments; (3) *The Acta in Capitulis* or Minute Book, which begins in 1609. The earliest Minute Book commences in 1572 under Warden Hovenden; but in 1609 it is practically displaced by the fuller *Acta*; (4) *The Punishment Book*; (5) *The Wenman MSS.* These two latter are in the custody of the Warden. The quotations in chapter vii. are for the most part drawn from *The Tanner MSS.* in the Bodleian, vol. 340. Other scattered references to MSS. are explained in the text.]

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NOTES ON THE PLATES

I.—THE FRONTISPIECE.

This is a reduced reproduction of the *Typus Collegii* which is the Frontispiece to the series of maps of the College property drawn up by Warden Hovenden in 1598. It is the earliest view of the College in existence. It shows very clearly the original plan as developed in the sixteenth century (*cf.* p. 69). To the right of the Front Quadrangle are the new Warden's Lodgings with garden ("The Rose Inn"). Notice the pump mentioned p. 73. North are the Cloisters, and "The Grove," and Orchard. Note that the statues of Henry VI. and the Founder over the gateway are not represented.

II.—THE FRONT QUADRANGLE.

This is the Tower entrance from the High Street to the Front Quadrangle as seen from the Chapel door. It practically represents the original fifteenth century Quadrangle, as beyond refacing of the Tower it has hardly been touched by restoration. The door in the left hand corner (S.E.) was the entrance for the first Lodgings (two rooms) of the Warden, one room of which was above the gateway. Notice therefore the characteristic position of these apartments, guarding the incomings and outgoings of the College. The two windows in the Tower are those of the original Treasury and Muniment Rooms. The statue of Our Lord over the gateway was put up in 1895 by Mr. Raleigh to replace the one formerly there, which probably disappeared in 1649. In the original Quadrangle there was no central grass plot, but simply paving. The grass was laid down in the eighteenth century.

III.—INTERIOR OF THE CHAPEL (EAST END).

This represents the Chapel as it is to-day, with the reredos and hammer-beam ceiling restored to their former design. The centre of the reredos—the faithful rising at the Last Day—is the Crucifixion with Henry VI. and Archbishop Chichele on either side. Over head is our Lord seated in Judgment. The figures are those of prominent statesmen and ecclesiastics in the fifteenth century. The last figure in the bottom row to the extreme left is that of Earl Bathurst,† at whose expense the reredos was replaced. The stalls are probably those of the original Chapel almost unrestored, the carved seats of which are fine. The brass eagle and candlesticks were a gift of G. Clarke's.

IV.—THE WARDEN'S QUADRANGLE.

This view represents the new Quadrangle annexed when the new Warden's Lodgings were built by Warden Warner (1557), and is taken from the entrance to the Hall. On the right are the windows of the Old Library (see plate v. p. 72). The door with the steps leads to the Warden's Lodgings of 1558, the windows on the second floor being those of the great Dining Room, ornamented by Warden Hovenden. To the left (not shown) is the Warden's Garden, leading to the present Warden's Lodgings, built by G. Clarke (1706).

V.—THE OLD LIBRARY.

This is the interior of the Old Library (now the large Lecture Room in the Front Quadrangle). It shows very well the beautiful "barrel ceiling," the coats of arms, the panelling and carved chimney-piece introduced by Warden Hovenden.

VI.—ALL SOULS IN THE SEVENTEENTH CENTURY.

A reduced reproduction of Loggan's print of All Souls (1675). If compared carefully with the frontispiece a few changes may be remarked: (a) The statues of Henry VI. and Chichele are in their niches over the gateway; (b) Warden Hovenden's study has been added (1606) to the east of the Lodgings; (c) the Warden's Garden and "The Grove" have been planted; (d) there have been slight alterations in the offices to the east of the Hall; (e) Wren's Dial, now on the Codrington Library, is in its original position on the

south wall of the Chapel. Note that the spires beyond the Chapel are those of the Cloisters, and that the door in the Chapel wall to the left of the pilaster has been blocked up. The other door leading by steps down to the crypt is still in existence, but has changed slightly in structure (probably in the restoration under Warden Gardiner, 1710).

VII.—THE CODRINGTON LIBRARY (INTERIOR).

Taken from the west end, and showing the bookcases which run all round, the gallery and second tier of bookshelves. The statue in the centre is that of Codrington (Cheere), and that at the east end of Blackstone (Bacon). Above the second tier of bookcases may be seen the "bustoes" of *Worthies of All Souls*, for a list of which see p. 219. The "Orrery" (p. 216) is just behind the Codrington statue.

VIII.—THE GREAT QUADRANGLE.

This is a view of Hawkesmoor's Quadrangle (1737), occupying the site very largely of the fifteenth century Cloisters. To the left is the Chapel, the square end being the antechapel; to the right the entrance to the Codrington Library. Between the two are the Piazza Cloisters and the "Dovecot Gateway," leading from "St. Catherine" Street. The spire on the left is that of St. Mary's (the University Church), and the dome is that of the Radcliffe Library. Between it and the gateway may be seen the spire of All Saints.

IX.—THE HALL (INTERIOR).

Taken from the doorway. On the left can be seen one of the new stained glass windows. The portrait in the centre is that of *Archbishop Chichele* (Thornhill), and immediately below that of *Jeremy Taylor*, and below again that of *The Marquis of Salisbury* (Richmond). To the left of the Marquis are *Warden Leighton* and *Archbishop Sheldon*; to the right *Sir W. Heathcote*, and above *Wardens Tracy* and *Isham*. Over the fireplace are the two paintings by Thornhill (see p. 213); the bust is that of Reginald Heber.

CHAPTER I

THE FOUNDER AND HIS COLLEGE

THE date of the foundation of All Souls College, 1437 or 1438, according as the facts are interpreted, makes it the ninth in order of the Colleges of the modern University, and gives it, in chronology at least, the honour of being the connecting link between the purely Mediæval and the purely Renaissance epoch.

The historical circumstances under which All Souls started, the character and aim of the Founder, Henry Chichele, are so clearly marked on the structure that, even did not pious gratitude enjoin the duty, a brief glance at his career is necessary to appreciate correctly not only what All Souls originally was but what it was intended to become.

Henry Chichele, the son, according to tradition, of a "broker or draper," was born at Higham Ferrers, in Northamptonshire, probably in the year 1362. He was first educated at the College of St. John the Baptist at Winchester, and then at New College, Oxford, which he entered as a scholar in 1386, and of which he became a Fellow in 1392. Thus early in life he was brought under the influence of the ideas of William of Wykeham, the greatest, because the most original, of the Founders of Oxford Colleges, and learned, if nothing else, "the

noble example of piety and liberality set to the opulent prelates of our Church." Chichele graduated with the degree of B.C.L., and though he shortly entered priests' orders, he seems to have devoted his first years to the lucrative profession of an ecclesiastical lawyer with such success that, later, Lyndwood, who dedicated to him his notable *Provinciale*, called him *lucerna juris*, "the lamp of the law." His energy and abilities soon made their mark, and with the establishment of the Lancastrian dynasty on the throne his rise was rapid. The second phase of his life begins with the year 1405, when he was entrusted with his first public mission to Pope Innocent VII. In the same year he was appointed a Commissioner to treat for peace with France; and henceforward his life as an ecclesiastic, a lawyer, a diplomatist, and a staunch adherent of the Lancastrian House, is indissolubly bound up with all the great public questions of England in the fifteenth century. In 1410, and 1413, for example, he was despatched on embassies to France; still earlier, in 1409, as Bishop of St. David's, he had been one of the English representatives at the Council of Pisa. Finally, in 1419, he attained the highest reward open to an English Churchman when he succeeded Arundel in the See of Canterbury. On the accession of Henry V. he became one of the most influential advisers of the Crown, and after his master's death continued to occupy an important position in the Council. In the history of the English Church, Chichele is perhaps chiefly remembered not as the Archbishop in whose primacy the alien priories were suppressed, nor as the man who successfully resisted the efforts of the Pope to give Cardinal Beau-

fort precedence over the See of Canterbury, but as the unhappy Primate who was forced to yield to Cardinal Kemp, Archbishop of York, the precedence rightly refused to Cardinal Beaufort, and who, worse still, allowed himself to be coerced by Martin V. and Eugenius IV. into demanding from King and Parliament the abrogation of the "damnable" statutes of Provisors and Præmunire. It is this which, together with an unkind misinterpretation of his policy towards the Lollards, has earned for him Fuller's harsh verdict that "he was thoroughpaced in all spiritual Popery." A greater than Fuller, Shakespeare, has in the play of *Henry the Fifth* immortalised the tradition of his most conspicuous contribution to English secular politics. On the authority of the chronicler Hall, Chichele has been represented as the advocate for that war "with blood and sword and fire" against France which was to cause the downfall of the Lancastrian House. Nor has the dramatist scrupled to put into his mouth a speech which he probably never made in a Parliament in which he did not sit. The question has more than an academic interest, for All Souls College has been popularly reputed to be the Archbishop's magnificent expiation for his "sin" in inspiring an unjust and disastrous war. Yet the view that Chichele was "the cause" of the war rests at best on a superficial analysis of its origin and aim; it certainly cannot be proved by the evidence available. The most that can be said is that he cordially agreed with Henry V.'s war policy, and that, both as head of the English Church and a responsible administrator of the Crown, he devoted all his abilities during Henry's reign and the unhappy years of Regency

that followed to make that policy a success. With still less justice then can its ultimate failure be laid at his door.

These, however, are problems which do not concern us here. To the chronicler of the annals of All Souls, Chichele's career and achievements as a lawyer, a diplomatist, a statesman-primat are important mainly because they show how the splendid use which, as a "pious benefactor," he made of his wealth, had been moulded and coloured by the lessons, the bitter lessons, learned in forty years' experience of the affairs of Church and State.

All Souls College, if the most imposing, was not the first or only benefaction connected with Chichele's name. Both at Lambeth and at Canterbury he left his mark by his buildings and his generosity; in 1429 he had founded at his birthplace, Higham Ferrers, a college for eight priests, seculars be it noted, the head of which was to be a University graduate, and had endowed the foundation with lands bought from the properties of the suppressed alien priories. He had started in the University of Oxford a chest of 200 marks, "Chichele's hutch," as it was called,* for the benefit of poor students, and had in 1436 bought five acres of land "in the suburbs of Oxford and builded a

* Mr. Anstey has recently published (*Epistola Academica*, Oxf. Hist. Soc. i. 83) the ordinance for the Chichele Chest, which was to "relieve poor scholars seeking the priceless pearl of knowledge in the field of divine learning." As with the similar chest in All Souls, every borrower was bound to say five times the "Pater Noster" or "Ave Maria" for the souls of the Founder and all the Faithful Departed. And Chichele himself was to be reckoned amongst the Benefactors of the University.

THE FOUNDER AND HIS COLLEGE 5

college house of free-stone quadrantwise," only to hand it over to "the order of St. Bernard called White Monks or Pied Monks . . . and it was called Bernarde College," a foundation which, thanks to the liberality of Sir Thomas Whyte, was in due time to emerge as St. John's College.

In the following year, 1437, these tentative efforts culminated in the erection of All Souls, the date of whose origin may be claimed for December 14 of that year, on which day Berford Hall, "vulgarly called Charleton's Inn, standing at the corner of Cat Street, directly opposite the eastern end of St. Mary's Church," was purchased. Other tenements were shortly acquired, and the building of a college at once begun. The foundation-stone was laid on February 10, 1437-38, and it will not be amiss to note in this connection that in our own century that day was solemnly observed as the anniversary of the quattro-centenary of All Souls, and a great day of thanksgiving. The then Warden, Lewis Sneyd, has himself recorded how he "preached a special sermon on a text from Psalm cxxii. 6 and the following verses," and "the permission of the Visitor, Archbishop Howley, was expressly given for lengthening the time spent in Hall."

The site of the new foundation was a block of tenements, inns and halls, the chief of which, besides Berford Hall, already alluded to, were Skibbowe's Tenement, St. Thomas' Hall, Tingswick Inn, "antiently called Corbet's Hall," and Stodely's Entry—fronting west on Cat Street and south on the High Street. For the most part these tenements were first rented and then by degrees purchased outright. Chichele's next step was

to procure a Royal Charter of Incorporation. This was issued on the twentieth of May in the sixteenth year of Henry VI.'s reign (1438). The document makes it clear that (following the example of "The King's Hall," Oriel College) the Archbishop had "surrendered" the properties bought to the King, who now, in virtue of this transfer and by exercise of the royal prerogative, "founds" and incorporates the College by the titles of "All Soulen College" or "The Warden and College of all Faithful Souls deceased of Oxford." In the deed the Warden and twenty Fellows, who are to constitute the new society, are named, and to them is delegated the power to elect—co-opt we should say—twenty more on condition that the whole number is not to exceed forty. Hence it is that Henry VI. has earned the right to be regarded technically as the Founder of All Souls, for in the Patent the real author of its existence, Henry Chichele, Archbishop of Canterbury, is merely associated with the King as Co-Founder.

The building of the College was entrusted to Roger Keyes, afterwards Warden, as chief architect, and Robert Druell, elected a Fellow in 1440, as chief overseer or supervisor of the works. From the *Rationarium Foundationis*, or book of the building accounts, an elaborate picture of the process and cost of construction could be made. It must suffice to observe that the stone employed was brought from the quarries of "Hedington, Teynton, Sherborn, Henxey and Sunningwell," the timber from the woods of Shotover, Stowood, Horsham, Eynsham, Cumnor and Beckley. Twelve trees were presented by the King, twenty by the Abbot of Abingdon. The wages paid to the workmen

THE FOUNDER AND HIS COLLEGE 7

have been held to prove that "they were the ablest that could be procured," and, if further proof were required, the transference *per mandatum regis* of some of the stonemasons to the repair of Windsor Castle might supply it. The building was carried on under the eyes of the Founder, for we are told he "repeatedly" visited the growing College, residing at the monastery of South Osney. Another prominent University benefactor, Humphrey, Duke of Gloucester, was also, we learn, on a single occasion "an interested spectator" of the works.

Five years elapsed before the newly constituted Fellows could take definite possession. During that time they were housed, under the headship of their first Warden, Andrewe, in "a hired hall at the Founder's expense." The exact date of their entry and the commencement of the corporate life proper of All Souls cannot be fixed, but it must have been during the year 1442, for on St. Editha's Day in that year the chapel was solemnly consecrated by the Archbishop himself, the Bishops of Lincoln, Norwich, Worcester "and other suffragans"—"a day long celebrated in the College by an annual Feast." Another entry relates how on the occasion of the first mass "a breakfast was given in the ante-chapel which cost sixteen shillings and eleven pence." Finally, in the October of the same year, John Wraby, afterwards a Fellow, was sent by the Founder to provide the Fellows, in the absence of proper statutes, with instructions as to their duties.

While the College was building, Chichele had seized every opportunity to strengthen its rights and privileges. Not content with the Royal Patent of 1438, he had,

“according to the superstition of the times,” despatched Warden Andrewe himself on a mission to Eugenius IV. to obtain the Papal ratification and licence. Andrewe was successful. In a Bull dated June 21, 1439, the Pope approved of the objects of the foundation and granted several valuable privileges. The College is authorised to have an oratory or chapel without the licence of the Ordinary (the Bishop of Lincoln), the Vicar of St. Mary’s Church (in whose parish it stood), the Provost of King’s Hall (Oriell), or any other who might claim ecclesiastical jurisdiction; it is empowered to possess a cemetery of its own and to bury its members and servants within the consecrated precincts; during an Interdict divine service may be celebrated in the chapel “with hushed voice, closed doors and without peal of bells,” provided that no excommunicate person be present and the College itself be not involved in the sentence.

The Papal exemption from the possible Rectorial claims of Oriell College and St. Mary’s Church was completed by an Indenture dated November 1, 1443, in which, in consideration of 200 marks, the Provost, Walter Lyhert, and Fellows of Oriell on the one side, and Roger Keyes, the Warden and Fellows of All Souls on the other, solemnly ratified the clause in the Bull affecting both societies. Finally, in 1442, Henry VI. had confirmed his previous Charter of Incorporation by a supplementary elaborate Charter of Privileges, in which he exempted the College from a formidable list of taxes, aids, tallages, and so forth, guaranteed their lands and franchises by similar immunities, and promised for himself and his heirs the royal protection in perpetuity.

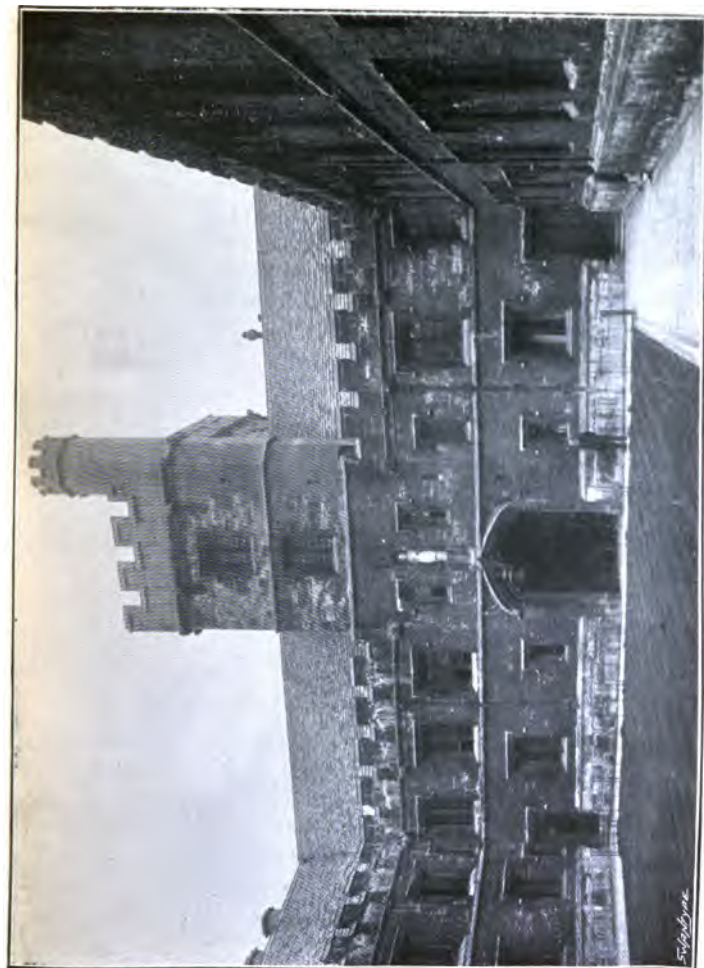
THE FOUNDER AND HIS COLLEGE 9

Thus the privileges, ecclesiastical and secular, of Chichele's Society were fenced by the triple bronze of private contract, Royal Patent, and Papal Bull.

Though the buildings were not completed for some time to come, the consummation of the Foundation may be regarded as reached on April 2, 1443, on which day the Archbishop, having sealed the statutes which were to regulate its government, delivered them to his College. It was his last work. He had for some time been in failing health, and had already asked the Pope to relieve him of his duties as Primate. On April 12 he died, and was buried in Canterbury Cathedral, the tomb lying in the south side of the northern aisle adjoining the choir. The College archives contain, as was but fit, an "agreement of the Prior and Convent of Christchurch, Canterbury, to celebrate the obit of Archbishop Chichele on the anniversary of his death in consideration of an annuity of £7 to be paid by All Souls College." The College, it may be remarked, is unfortunate in not possessing any indubitably authentic portrait of its Founder, though it has manfully endeavoured to supply the deficiency by various more or less imaginary likenesses, notably the full-length portrait in the Hall by Sir J. Thornhill, and the picture in the Common Room, which is probably "Chichley's picture" that Pepys paid five shillings to see, and also the beautiful bust by Roubiliac, likewise in the Hall, which dates from the eighteenth century. The head, however, of the recumbent figure on the tomb has every appearance of being a portrait, and may have been sculptured from a mask taken after death. A likeness too in stained glass, now in the north window of the ante-chapel, though by no means closely resembling

the features of the tomb figure, is, judging by the evident antiquity of the glass, probably a contemporary if idealised portrait. "It conveys," as Professor Burrows says, "the impression of a wise, benevolent old man."

As regards the College itself, though the first authoritative drawings date as late as the Wardenship of Hovenden, in the reign of Elizabeth, and various restorations and the great rebuilding of the College in the eighteenth century have profoundly altered and extended the original plan, it is not very difficult to frame a rough idea of the building as completed in the fifteenth century. The general scheme seems to have been inspired by that of New College, but executed on a smaller scale. There was only one quadrangle, the present small Front one facing south on to the High Street and running west along Cat Street. Both in its architectural lines and form this quadrangle is to-day substantially identical with the original of the fifteenth century, save for the change in the seventeenth century, when the mouldings and cusps of the windows were cut squarer. Here were situated the Fellows' rooms, the Warden's Lodgings being located in the south-east corner. The main entrance was from the High Street under the tower, the upper floors of which served as a treasury for the College chest and a muniment-room for its deeds and archives. The position of the Warden's Lodgings is both remarkable and characteristic, and was probably borrowed from New College. The Warden is housed over the main gateway, whence he can watch everything that comes into or goes out from his College; and his apartments have a private access to the muniment-room and treasury. On the east side of the Quadrangle on the second floor was placed the



From a photograph by the

THE FRONT QUADRANGLE
(TOWER ENTRANCE)

[Oxford Camera Club



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Library (now the large lecture-room), since Chichele's day completed and beautified by Wardens Warner and Hovenden. The north side is bounded by the chapel. The original Hall continued the east line of the Quadrangle, running at right angles to the chapel. One of its most conspicuous features must have been the lofty embattled louvre or lantern resembling an octagonal turret, a design apparently borrowed from the Hall of New College. Unfortunately, beyond Wood's record that its windows were adorned with various coats of arms, little is known of its interior. Part of its site is now occupied by the present Hall, which, however, is in a diametrically different position. North of the chapel lay a small oblong court, and north again of this, with a west front on Cat Street, were the cloisters. These, like the Hall, disappeared when the great Quadrangle and Codrington's Library were built, but the existing cloisters at New College, which apparently served as a model, remain to convey a fair idea of their form. Wood, who had seen them, writes :

"They were begun in the Founder's time and finished in 1491 with the monies of Thomas Overy, Bp. Goldwell and one Thomas Calfoxe ; also with the monies of John Danvers whose arms are at this day remaining carved in stone over the east door. This cloister was afterwards consecrated for the burial of the dead, processions and performing certain suffrages in private. Arms in the windows of this cloister, for so there have been, yet not in the memory of man—John Vaughan, Nich. Halswell, Bp. Goldwell and Warden Broke."

To the east of the cloister, and also slightly north, ran a stretch of open ground, lined on the Cat Street side

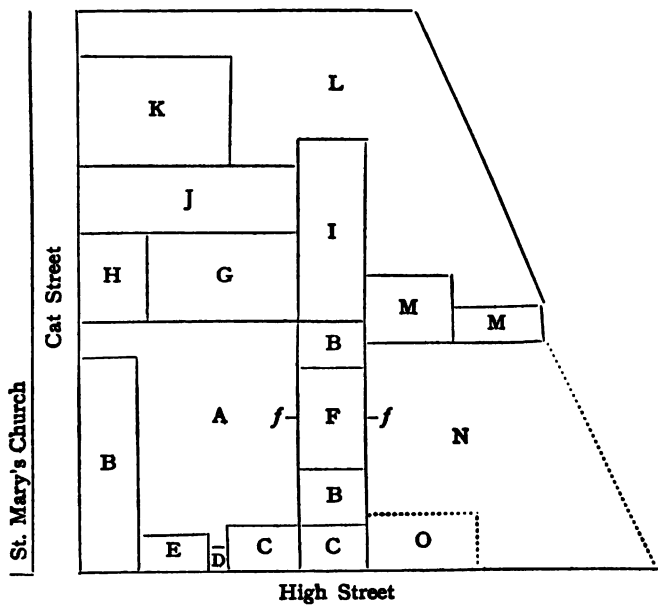
by a fringe of private tenements. This ground the College rented and used as an orchard and garden. It was only bought when the College expanded in the time of Warden Gardiner (1710-20). The tale of buildings is completed by the buttery, kitchen, brewery, store-houses, and offices situated to the east of the Hall, amongst which must be reckoned the stables for the horses provided by the statutes. What is at present known as the Warden's Quadrangle was in 1450 mainly waste land, partly occupied by such tenements as "The Rose Inn" of later days, and only passed into the possession of the College with the first expansion under Warden Warner.

Modest as these buildings may seem (it is not easy to imagine how forty Fellows and their Warden were packed into the extremely limited houseroom of the Front Quadrangle), with their appointments they cost the Founder nearly £9000. The exact figures would seem to be £4156 5s. 3d. for the expenses of the first five years, while £4302 3s. 8d. were laid out on the purchase of "the site, books, and other necessary articles"; and if to this be added £1000 paid to the King for various lands, it will be seen that Chichele spent practically £10,000 on his Foundation, which has been calculated to represent perhaps £150,000 in the money of to-day. Baskerville, then, was not without justification when he remarked, two centuries later, "As a man may say, 'twas well for him he had money to do it." Nor, when we remember the Archbishop's munificence to the University, can we pronounce the dignified eulogy of the University on Henry Chichele as altogether exaggerated. In an interesting letter to the Pope,

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defending him from the slanders of his enemies, the Chancellor, in the name of the University of Oxford, calls him "the golden candlestick in the temple of the English Church," and adds this striking phrase: "*vita*

Not.—The appended rough diagram, not drawn to scale, may add clearness to the description in the text.



A. Front Quadrangle. B. Fellows' Rooms. C. Warden's Lodgings. D. Tower Entrance with Muniment and Treasury, adjoining the Warden's Lodgings. E. Porter and Servants' Rooms. F. The Library. ff. Passages Underneath. G. Chapel. H. Ante-chapel. I. The Hall. J. Oblong Court. K. The Cloisters. L. Garden and Orchard. M. Manciple's House, Kitchen, Brewhouse and Stables. N. Present Warden's Quadrangle, added *circa* 1560. O. The New Warden's Lodgings as built by Warden Warner (*circa* 1550).

fully filled and decorated, added the splendours of their red and gold to the glories of the windows and altars.

The endowment of the College, as bequeathed by the Founder, was almost wholly derived from various properties situated in different counties. The bulk of these had originally belonged to the alien priories, and were bought, after their suppression, from the Crown by the Archbishop; and it is to this purchase most probably that one of the Foxcote deeds in the archives refers. This is a receipt by William Wenflete, Provost of Eton, of £1000 from Henry Chichele, Archbishop of Canterbury, "for the use of the king." Both the Royal Charters of Privileges and Incorporation bear testimony that Chichele had followed the same course with regard to the lands acquired as he had with the College buildings. After purchase they are surrendered to the King, who then, in his capacity as Founder, regrants them with a guarantee of all rights and privileges appertaining to them. Henry VI. thus became not merely the technical Founder of All Souls, but also the technical Donor of its endowment. The chief of the lands so bestowed were a cluster of estates round Romney and Upchurch, in Kent; at Alberbury, in Shropshire; the manors of Crendon and Foxcote, with Morton and Padbury, in Buckinghamshire; woods at Edgware and Willesden, in Middlesex; the priories of St. Clare and Llangenith, in South Wales; and various farms at Weedon Pinkeney and Whadborough, in Northamptonshire. The value of the endowment was roughly £300 a year, and the College was granted a licence to hold lands in *mortmain* to that amount. A return, however, in the reign of Henry VIII. shows a

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slight increase in value, the assessment being fixed at £392 2s. 3d.

The other benefactions of the Founder were of a minor character, such as the presentation of chapel plate and vestments, and the gift of various books and MSS. to the Library. Henry VI. is also credited with the donation of twenty-six volumes—viz., eight on law, seventeen on theology, and one on philosophy. Last, and not least, the Archbishop left 200 marks to endow a “chest” from which loans could be made to assist the poorer members of the house to prevent “want playing the step-dame, and those who are best qualified for studies enslaving themselves to the mechanical arts and becoming truants to the ingenious sciences.”

All Souls was now equipped to start its corporate life. A brief analysis of the most striking features of its original constitution will throw no little light on its future history. A comparison of the charter of foundation with the declaratory preamble to the statutes clearly reveals the Founder's motives as twofold—religious and secular—each characterised by a deep sense of national needs.

Moved by compassion, the Archbishop recites, for the state of the unarmed soldiery of the Church and with no less pity for the general ailment of the armed militia of the world, he desires to erect a College of poor and indigent clerks bounden with all devotion to pray for the souls of the glorious memory of Henry V., lately King of England and France, the Duke of Clarence and the other lords and lieges of the realm of England whom the havoc of that warfare between the two realms hath

drenched with the bowl of bitter death, and also for the souls of all the faithful departed.

Hence the "funereal" name—*All Souls*—of the College to which this chantry is annexed. In pursuance of this object, prayers for the souls of the faithful departed are specially required in the private devotions of the Fellows, a weekly *requiem* for the dead is prescribed for every Friday throughout the year, while the Feast of All Souls Day is naturally singled out as "the great day of the whole society." The duties of the College as a chantry are further emphasised by the studied magnificence of the chapel and shortly amplified by the minor benefactions of later members, five of whom, Bishop Goldwell, Robert Honeywood, Warden Broke, Richard Bartlett, and William Pouncett, left legacies that masses might be said by the College for their souls.

Yet All Souls was intended to be much more than a chantry *ad orandum*; in fact the statutes creating a college *ad studendum* practically relegate its function as a chantry to a second place. As an academic society All Souls is to consist of a Warden and forty Fellows governed by a code, the statutes. These statutes, according to tradition drawn up by "the celebrated civilian" Lyndwood, Chichele's Vicar-General in the Province of Canterbury, may be broadly divided under three heads, according as they regulate the composition, the administration, and the Rule of Life of the College.

As regards the first, elaborate provisions fix the number of Fellows at forty, which number is not to be exceeded. Of these, twenty-four are to be artists and

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sixteen jurists, while special clauses guard against any disturbance of this balance in the proportion of artists to jurists. One Dean, for example, and one Bursar is always to be an artist, the other a jurist, and the same rule applies to the *custodes jocalium*, one being taken from each faculty. So, again, on a vacancy in the Wardenship one candidate is to be elected from each class, the final choice resting with the Visitor. The qualifications of a Fellow are that he should be of free condition, born in lawful wedlock, have the first tonsure, so as to be "disposed" for the priesthood, have received sufficient instruction in the rudiments of grammar and plain song, be endowed with a good character, and anxious to make progress in study. He is to be chosen after careful examination in all these requirements, and for his first year is to be simply a "Scholar," after which he may be admitted to the full Fellowship. Founder's kin are to be preferred to all others, then those coming from places where the College has property. Chaplains, though their number is not specified, are also provided. The four Bible clerks of the College to-day are not mentioned in the original statutes. They were a later addition; yet quite early the records testify to the presence of three clerks and six choristers, who "by constant and uninterrupted custom" were appointed by the Warden, and to the payment of whose services in chapel and Hall various small benefactions were gradually devoted. Mr. Rashdall has suggested with much probability that the origin of the Bible clerk is to be found in the regulation allowing for "one clerk or honest servitor who shall diligently serve in the Hall and Common Room," and who may have read the Bible

during dinner. The precise enumeration of the servants complete the composition of the society. They are a manciple (head butler), an under-butler, a cook with two assistants, a stable-boy, a man "to carry the books of the scholars to the schools," a private servant for the Warden paid for out of the common funds, and a porter who also acts as a barber and "shall duly and diligently shave the Warden and Fellows." With monastic severity all these servants must be males, with the exception of the laundress, who may be a woman "in default of a male washer." The administration is vested in the Warden, Sub-Warden, the two Bursars, two Deans who supervise the exercises of the Fellows, and a Seneschal chosen weekly from the Fellows. This latter is perpetuated to this day in the office of *Steward of the Week*, held by each Fellow in turn.

The Rule of Life is defined in a catena of complicated regulations which defy exhaustive analysis. The religious side is summed up in the injunctions as to attendance in chapel and the elaborate private prayers for the Founder to be said morning and evening, when books are borrowed or a loan made from the chest. It is worth noting that the statute prescribing that on Sundays and minor festivals a Fellow shall officiate has been held to be the origin of the present custom by which on Sundays and Saints' days the lessons in chapel are read by a Fellow "sent out" by the Dean "at his discretion," or in his absence by the senior Fellow. The clerical character of the society, however, is best seen in the requirement that all Masters of Arts are obliged, within two years of their Regency, to enter priests' orders. The jurists are only exempt if they proceed to the

Doctorship in their faculty, and as proceeding to the higher degrees is strictly enforced by statute, escape from this regulation is impossible save "by a lawful impediment," no definition of which is given.

Strict residence is obligatory on the Warden and Fellows; they may not be absent without "reasonable cause" (of which there is no definition), permission for such being granted by the Warden and officers. There are to be weekly "disputations"; and attendance at all University exercises necessary for the several degrees is compulsory. The progress of the Fellows in their studies is to be tested three times a year by an examination held by the Warden.

The remaining regulations are largely monastic in character. Both within and without the precincts of the College the Fellows are to wear a suitable clothing, and for this purpose a *Livery*, "or dress of one suit," being ten yards of cloth, is to be annually provided from the common funds. Baskerville says, though the authority is uncertain, that the livery was "recommended to be bought at Bristole fair, being the best cloth to be had and commanded to be of purple colour." This livery they may neither pawn nor sell. Every Fellow is to have daily commons, the Warden being allowed a double portion. The surplus in the common funds is to be reserved "to the common advantage of the College." These are all points bound up with the future development of the constitution.

No Fellow may sleep out of College, no stranger may pass the night within. Latin is to be used in daily conversations; during dinner the Bible is to be read aloud; there is to be no lingering in Hall after dinner,

save on special occasions, when the Fellows may have a fire and "recreate themselves seriously with songs (*cantilenæ*) and other proper solaces, poems, the chronicles of the realm and the marvels of this world, and other things fitting the clerical estate." The Fellows may not walk out alone nor go beyond defined bounds in their walks, nor wear arms. As in the codes of other mediæval colleges, the injunctions which forbid the keeping of hawks or hounds, playing dice or gambling, injuring the buildings by arrows or other missiles, committing violent or murderous assaults on their colleagues or other persons, form an instructive comment on the temptations of the mediæval student. Finally, property of the value of one hundred shillings, marriage, the tenure of a benefice above ten marks in yearly value, entrance into any order of Regulars, or the holding of any post preventing study, as well, of course, as being found guilty of any serious moral offence, are to cause the voiding of a Fellowship.

A careful comparison of these statutes with those of New College reveals the surprising extent to which Chichele was indebted to William of Wykeham. It is not without justice that All Souls has with Magdalen been called "the daughter of New College." Yet, remarkable as are the elements borrowed—particularly in the organisation of a college of secular priests, the exclusion of monks and friars, the number and functions of the officers, the characteristics of the Rule of Life—Chichele had in the borrowing added or emphasised certain features whose combination and later development co-operated to make the history of the daughter society distinct, perhaps unique. As regards the chantry,

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the distinctive feature is not the greater elaboration nor the prominence assigned, but the connection with a *national* object. That this was an expiation of the Archbishop's share in "causing" the French war cannot now be decided; the fact remains that the chantry annexed to All Souls is essentially national, not collegiate. It breathes, we feel, the spirit of the man who, as Archbishop, ordained that, in memory of the victory at Agincourt, the Feast of St. George should be observed as "a greater double." In the second place, the absence of all provision for the residence or teaching of undergraduate students will strike the modern mind. The College was to be one of Doctors and Masters, endowed to promote learning, especially in the study of philosophy, theology and law, not by being linked with a school as New College to be an institution partly for training junior students. Attempts occur from time to time to introduce undergraduates, but their presence is foreign to the original scheme. "All Souls," as Mr. Rashdall has pointed out, "serves to remind us that in their origin colleges were designed to be primarily (and, we may add, in this case continuously) bodies of students, not bodies of teachers." This characteristic alone made the college distinct in the University. Thirdly, there can be no doubt that one of the chief functions of the new society was to equip priests with a proper University training for the service of the Church. Chichele's language on this point is explicit: "he desires the increase of the (secular clergy) of the realm, which at the present time is notoriously diminished." This feature again brings All Souls into close contact with national needs, for the deterioration and ignorance of

the parochial clergy were amongst the most serious symptoms of the decadence of the fifteenth century. Not less remarkable, however, is the prominence assigned to the study of civil and canon law. At New College twenty out of seventy—little more than one-fourth; at All Souls sixteen out of forty members—very nearly one half—were to be jurists. Professor Maitland has recently told us that during the Middle Ages the schools of Canon Law at Oxford and Cambridge were singularly unproductive of original work. Chichele possibly, as a distinguished lawyer, may have wished to correct this, to aid in creating a really national school of civil and canon law. And there is another important aspect. No one knew better than the Archbishop himself that the law was the chief, if not the only certain avenue, not merely to a lucrative professional career, but to high preferment in Church and State. In 1417 he had himself laid down that Vicars-General and Commissaries should be chosen from graduates of the two Universities. If it was the Founder's deliberate intention to encourage a large proportion of the Fellows to prepare for devoting themselves to public affairs, his object was more than attained. Through the study of the law, which became a speciality of All Souls, a connection was built up with employment in the public services, which every subsequent development only riveted more firmly on the College.

The connection was more sharply emphasised by the carefully defined powers of the Visitor, vested *ex officio* in the See of Canterbury. The Archbishop of the day is to stand in *loco parentis* to the College, which, in the language of later Wardens, is his "family" (*familia*

vestra). He is permanently, in the place of the original co-Founder himself, bound, as the guardian of the rights and privileges of the society, to maintain them unimpaired, empowered to inquire into and enforce the observance of the statutes, inheriting where necessary the co-Founder's chartered prerogative of issuing new ordinances, provided such are not repugnant to the original constitution. On the Visitor devolves the selection of the Warden from two candidates submitted by the College, as well as the nomination of Fellows or officers when there has been a failure to elect; he is the authority for the redressing of all grievances and the final court for all disputes, from whom there is no appeal; in the last resort he is entitled to hold a solemn visitation or investigation into all matters affecting the condition or honour of the society, and to punish, correct, or amend in virtue of his plenary powers.

These were certainly ample privileges, and from the first were claimed and gradually exercised by Chichele's successors. Though no explicit mention is made in the statutes as to the right to *interpret* disputed clauses, future Archbishops with good reason assumed that such a faculty was essentially included in their jurisdiction, and in time the results of this right became almost the most important of all the visitatorial powers. The archiepiscopal Injunctions alone fill a bulky volume, touching on every topic from the most trivial to the most fundamental in the life of All Souls, and this venerable record illustrates with extraordinary clearness how with every generation the College was brought into the closest contact with a series of Primates whose

conscientious conception of their duties as Visitors, moulded by their public policy as statesmen, moulded in turn the whole framework of the society committed to their charge. That the history of All Souls faithfully mirrors the broad features of the history of the nation is due, more than anything else, to the statutory powers delegated to the See of Canterbury.

Once more ; Chichele's recourse to the King in the foundation of his College had placed All Souls in delicate and peculiar relations to the Crown. For the Archbishop it was primarily a personal tie arising from his own unique obligations to the Lancastrian dynasty, and his anxious desire that through the Crown "his foundation may be more surely and stably based," finding touching expression on Henry's side in his perpetual reference to the Archbishop as "his Godfather by whose hands we received the sacrament of holy Baptism." But the connection remained when sovereign and archbishop, so closely linked together, had passed away. Technically the College was a royal college ; it owed its existence to the royal prerogative ; it was endowed with lands purchased from those "resumed" by the Crown ; its privileges rested on a royal guarantee. It is not, therefore, surprising to find that a literally legal interpretation of that connection was held to justify not only the interest but the active interference of the Crown in the affairs of the College. Indeed, it may be questioned whether any college in Oxford down to the eighteenth century illustrates so continuously the "influence" of successive sovereigns on its corporate life as does All Souls, and for this certainly the Founder is largely responsible.

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The question is often asked, Why is it that All Souls has so different a history from other colleges, and to-day is so different in structure and organisation? The actual historical process must be left to be briefly indicated in the sequel, yet a few conjectures in anticipation may not be out of place. A high authority, Mr. Rashdall, has suggested that a powerful cause "has been the Founder's omission to fix a definite property limit." The statutes, however, do prescribe a limit, though successive interpretations raised the original £5 to £40 in 1710, and to £100 in 1826, and confined it to real not personal property; and, as was pointed out in 1852, the regulation "was always acknowledged and strictly observed." But the raising of the limit came when the "peculiar" characteristics of All Souls were already stereotyped. Undeniably it aided their development, but did it create them? The same question arises out of the alleged influence of the Founder's kin, which is not really operative till the serious revival of their rights in the eighteenth century. Their vastly increased admission at that epoch combining with the newly raised property limit simply *italicised*, but did not originate, the specially characteristic features of the College. No, we must look farther afield. To begin with, a student of the annals of All Souls cannot fail to be struck by the fact that almost from the first the College came to be regarded as occupying a position distinct and apart. Its members are recruited, not from its own internal resources, but from the men of graduate standing of all the other colleges. This alone gave it a unique character; it is a *fait accompli* which not even the most revolutionary reformers in 1549, or

1650, or even 1852, attempted to alter. All Souls begins, continues and ends as a Society of Masters and Doctors. Secondly, the size of the College buildings, combined with the strict conditions of residence enforced for at least two centuries, rendered the introduction of a permanent body of resident commoners literally impossible. Thirdly, as the Commission of 1852 rightly regarded as so remarkable, the strict observance of the statutes as to proceeding to the higher degrees, and under certain conditions the taking of orders with all that these implied, caused All Souls to "retain more closely in these respects its original constitution than almost any other College." Fourthly, the statutory studies of its members as developed by custom prevented the Fellows from equipping themselves to be teachers. They had no one to teach but themselves, and in the original constitution there was an entire absence of provisions for tutorial offices. Where they were not *bona fide* students they were priests looking to preferment in the Church, or men preparing for a professional career outside Oxford. It is here we trace the extreme importance of the prominence of the study of law. The jurists from the beginning naturally had recourse to the Bar and the Bench in its various forms, to public service of one kind or another, and they in turn materially influenced the habits and ideas of their colleagues the artists, helping to make them professional where they were not so already. The introduction of the study of medicine in the sixteenth century only emphasised this powerful tendency. So that, when in 1709 the exigencies of residence were virtually relaxed, an *ethos* and tradition had been created resting on three

centuries of continuous development which completely prevented All Souls from becoming, as other colleges, an institution for the education of junior students. And the revival of the rights of Founder's kin supervened to bar any such modification, even if it had been likely, in the eighteenth century. Nor must the influence of the Crown and the Visitors be forgotten. Encouraged by the Monarchy, and with the early Wardens to set the example, employment under the Crown, in ecclesiastical or civil office, came to be the regular goal of the ambitious members of All Souls. The famous decision of 1709, pronouncing that *servitia regia* (royal service) was a lawful impediment exempting from residence and the taking of orders, was merely a repetition of the order of 1549, which had even then merely registered the custom of the College. Most potent of all, the visitatorial right of interpretation, with cumulative effect, sanctioned the tendencies just noted, and assisted the gradual relaxation of those conditions which impeded their complete realisation. The evolution of the College into a nursery for various professions largely lay in character, and, free from educational functions, can be read step by step in the visitatorial "Decretals."

In a word, the history of All Souls is the history of a process to make explicit what was implicit in the original constitution. Henry Chichele had founded and endowed a society of graduates which, though a quasi-chantry, was primarily a college for the encouragement of priests and lawyers, and from the nature and scope of its studies and regulations, its peculiar relations to the Crown and See of Canterbury, could be justly

held to be an institution intended to train Oxford men to be fit and ready to serve, as their Founder had served, Church and State. Such it was in 1443; and such, through all its many phases, it has remained.

CHAPTER II

ALL SOULS IN THE FIFTEENTH CENTURY

Wardens : Richard Andrewe, 1437; Roger Keyes, 1442; William Kele, 1445; William Poteman, 1459; John Stokys, 1466; Thomas Hobbys, 1494; William Broke, 1503.

RICHARD ANDREWE, the first Warden of All Souls, has been often cited as a striking example of the state-servant whom All Souls was to produce in abundance. The close friend, possibly the relation, of his patron, Archbishop Chichele, he had been educated at New College, of which he became a Fellow. He had then followed his master in a career which combined the profession of a canonist with diplomacy and high ecclesiastical office. Appointed Warden by the Charter of Foundation after obtaining, as already noted, the Papal Bull of privileges, he presided over the College until possession was formally taken of the new buildings. In 1442 he resigned, apparently because his services were required elsewhere, and his life henceforward belongs to the sphere of State affairs. A Canon of Windsor in 1451, he had been made secretary to the King in 1443, and was repeatedly employed on diplomatic missions to France and Scotland. His ambassadorial efforts have won a melancholy significance since

he shared with the Duke of Suffolk in the treaty which ceded Maine to France, and brought Margaret of Anjou as Queen to England—two events which were “the beginning of all the evils.” Yet, like Warden Warner later, he retained his preferments in spite of virtual revolutions, though he only won his Deanery at York “by the thunders of the Church.” All Souls has good reason to cherish his memory. In 1469, in consideration of his benefactions, “copes and other ecclesiastical vestments, chalices and books,” as well as the gift of 100 marks “particularly towards the kitchen,” he was admitted a Brother of the Society—in *fratrem quoad suffragia*—and in 1471 the College undertook to celebrate his *obit* and “to invite by the bellman of the city all good Christians to say a prayer for his soul,” while on his death in 1477 he left £40 on condition that the Fellows “said after dinner every day certain psalms and prayers for the safety of his soul.” It is characteristic of the early Wardens that they followed Andrewe’s example in resigning. The next four who occupied the Wardenship hardly call for detailed comment. Roger *Keyes* resigned after three years of office. One of the original Fellows, his work had been to supervise the building of the College and his skill may be inferred from his transference, at Henry’s request, to superintend the construction of the new royal college at Eton. William *Kele* became Arch-deacon of Bath and Wells, but has left no mark on All Souls history. William *Poteman*, like Andrewe, was employed by Edward on various diplomatic missions, particularly on Scotch affairs, but save that his career illustrates the natural drift of members of the College

to the public service, his distinguished career falls outside the limits of the College annals. As "Principal or Moderator," however, "of the Civil Law school" he occupied a position in the University which draws attention to the increasing importance of the study of law in All Souls. John *Stokys* resigned after being Warden for thirty years, to die a Canon of Windsor. A donor of more than forty volumes to the Library, he was also enabled definitely to complete the cloisters (1491).

All Souls, in fact, like other nascent institutions, during the first decades of its life is happy in having almost no history. Successive Wardens and Fellows were more than fully occupied in finishing their buildings, in organising a machinery for giving effect to their elaborate statutes, in keeping their accounts, collecting the rents of their scattered property, arranging leases, and making the annual "progresses" of inspection—at least, if we may judge from the "venerable records" on all these points, which practically date from the birth of the College, and of which the most distinguished of our Bursars, Blackstone, has remarked :

"Had they related to any Branch of Roman housekeeping would have made the *Salmasius's*, the *Grævius's* and the *Gronovii* almost out of their wits for very Joy."

Apart from "old *Computus's* and College Rolls," but few notices of general interest can be pieced together. The Register informs us that in 1440 fourteen Fellows mysteriously resigned and were promptly replaced, and in 1443 a little rift is disclosed when "John Rivot was put in by ye Founder *sociis non concordantibus*." The

growth in privileges is the most remarkable feature of the period. The first act of Archbishop Stafford was to obtain a fresh charter from Henry VI., amplifying those conceded in the Founder's lifetime. In 1444 he added himself to their number by granting a Forty Days' Indulgence to all who visit the chapel annually on All Souls Day "as well as on the First Sunday after the Translation of St. Thomas, commonly called the Feast of Relics, and there pray for the souls of the Faithful Deceas'd at rest with Christ, repeating the Lord's Prayer *cum salutatione angelica*." The chapel, be it noted, was proud to possess relics of its own, which, even without the archiepiscopal Indulgence, would have established its fame for devout pilgrims. From an indenture we learn that, along with certain images, the College owned "a tooth of St. John the Baptist" (*dentem . . . tentum inter duos angelos*), and a crucifix from Alberbury "containing a portion of the true cross." In 1451, a beryl had been purchased "to be fixed in the mouth of St. Jerome." Another record of 1457 has been read to prove the memorable fact that, at the celebration of the *obit* of Isabella, Lady Shottesbrooke, no less than 9400 "wafers" were consumed. A chapel of such popular resort deserved the benefactions lavished on it by two generations. One member, Robert Este, contributed £50 to "the making and setting up of Images," but the chief honour belongs to Bishop Goldwell. The completion of the cloisters was due to his generosity; he gave £50 "for the edification of the High altar"; and from Wood we learn that the black-letter inscription on the screen recorded that it was also his pious gift. Along



From a photograph by the

[Oxford Camera Club

THE CHAPEL (EAST END)

with a bequest of books and MSS. to the Library, he left £146 to endow a chantry for his own and his brother's soul. That the privilege of the College prayers was highly valued even as late as 1586 may be seen in the request of the abbess and nuns of the monastery of Syon to be admitted *consorores quoad suffragia* of All Souls. The request was granted, and these members of a house founded under Chichele's inspiration thirty years before All Souls came into existence were permitted "to become partakers of all our Divine offices, chants, prayers, masses, studies, alms, fasts, and indulgences." The nuns were the last of an interesting list of those who successfully sued for "the fraternity of the College," a list which includes amongst humbler benefactors the names of Warden Andrewe, Bishop Goldwell and his brother Nicholas, and three Visitors, Cardinal Morton, and Archbishops Deane and Warham.

In the secular life of All Souls, Archbishop Stafford makes two appearances. Warden Warner is responsible for the statement that

"he took again from the college the parsonage of Tryng in the county of Bucks which King Henry had impropriated to the college; but that was never again restored. No more was a lordship called Foxcote. And these evil chances maketh the college poor and bare and the Warden and Fellows' portion much less than they be in other colleges."

Stafford also, in virtue of the visitatorial power, "notoriously recognised as belonging to the See of Canterbury," issued the first Injunction to be found in the archives. By this he regulated the election of the

Sub-warden, Bursars and Deans, and "disposed" the arrangement of chambers, about which there had clearly been disputes. To the Warden he assigned Lodgings of two rooms in the south-east corner of the Quadrangle, the remaining rooms to be distributed on the discretion of the Warden, according to academic seniority. It appears there were only sixteen rooms available for the forty Fellows; hence the order that each Fellow was to have a bed to himself was a boon not to be despised. It is also highly characteristic that the Injunction suggests that to promote "brotherly love and charity" between the two classes of jurists and artists, each of the jurist doctors should have two artists as "chamber fellows," whereby "amity and concord" between seniors and juniors will be firmly established.

The next Visitor, Archbishop Bourchier, was called on to exercise his right to nominate a Sub-warden, the College having failed to elect; and two years later (1459), as some of the Fellows had actually refused to pay their battells, he insists that payment is to be made without fail within three days after the end of each term. But these are trifles compared with the crisis in which All Souls was now involved. The College, it has been well said, knows nothing of the Wars of the Roses as such, but from the lawlessness of "the overmighty subject" it suffered no little. The draft of a significant petition from Warden Kele to Henry VI. has survived, complaining

"that Hugh Haddelsey, priest, and Sir Hugh. John, Knt., taking advantage of the great and inconvenient riots of late fallen within the realm have seized on the priory of Llangenith."

Dr. Wenman also, in his MSS., relates how

"one Richd Wylde the Vicar of Alberbury joining himself to a large number of riotous persons disseised the College of its lands forcibly expelling their tenants and placing in the Priory a monk of the order of Grandmont.

"This was done under the pretence of religion. The College applied to Edward, prince of Wales, stating that the malefactors were of great might, affinity and number, that they could obtain no relief nor any Remedy by the due course of Law. In 1474 an appeal was made to the Abp. of Canterbury against Fawcon, a Grandmontese monk who kept the possession of the Priory . . . but soon after the College was in quiet possession of it."

Nor was it easy to escape from the results of the dynastic struggle. When Edward IV. definitely displaced Henry VI., spoliation in the shape of an Act of Resumption stared All Souls in the face. Here, to the Yorkists was an institution founded, endowed and guaranteed by the "usurping" Lancastrian House, with an income derived from lands once "resumed" by the Crown. Royal logic, law, and interest alike suggested confiscation. That it did not follow must be attributed to a variety of reasons.

In its Visitor All Souls had a powerful friend at Court. It could prove that it had been formally exempted from Henry's Acts of Resumption (1450 and 1455), that the lands of the "alien priories" in its possession had not been a free grant of the Crown but bought with cash down. To mutilate or ruin the chantry, solemnly bound up with the memory of a victor King, would have been adding an insult to the nation to an act of sacrilege. Probably most efficacious of all was

the readiness of the College to pay "blackmail" in the shape of a pardon purchased "for siding ('in nought else than their prayers,' as Gutch correctly interpolates), with Henry VI. *nuper de facto non de jure Rex.*" Edward, in short, prudently made the best of both worlds; for, in consideration of the willingness of All Souls "to pray for his Majesty's health, and that of Cecilia our dearest mother as long as we are alive, and for our souls when we shall have migrated from this light," he issued Royal Letters Patent confirming the College in its possessions, and these were ratified in subsequent Acts of Resumption (4, and 7 and 8 Edward IV.). In passing we may note a pitiful wail echoing from the past, significant of this period of stress. At the foot of an extract concerning the payment of the fifteenth and tenth are written these sad words:

"Jhu, thy bythur pascon and thy glorious resurrecon and the holy trinyte be betyne this false fever and me."

Danger, however, again loomed ahead when the battle of Bosworth had brought a fresh turn in the wheel of fortune. True, a Lancastrian could hardly presume to do what even a Yorkist had shrunk from. Yet, despite Henry VII.'s confirmation of the Letters Patent of Edward IV. and Henry VI., a humble petition to the King

"of your continyell orators and true Bedesmen Maistre John Stokys Warden, and the feleshipe of All Soulen Colledge in Oxinforde . . . that they be right late inquieted by processe made out of your Eschequer,"

shows that their endowments rested on no too sure a basis. *Soit faite come il este desiré* was the welcome

royal answer, and the petition, after being duly enrolled on the records of the exchequer, was further confirmed by "Inspeximus" in the sixth year of the reign. Once more All Souls could rest in the enjoyments of the grants of Henry's "blessed uncle whose sowle God assoyle." Yet on Henry VIII.'s accession it was thought worth while to add to the archives three formal documents—a pardon, an "Inspeximus" of the original grant of Henry VI., and a confirmation of the Letters Patent of the new king's father. *Timeo reges et dona ferentes*. These episodes furnish indeed an instructive comment on the irony latent in Chichele's confident reference to the value of the Crown in making his foundation "more stable and sure."

The Tudor epoch was to be one more fertile in trying crises than even "the scrambling and unquiet" century which had just closed. Happily, most of the Wardens were to prove themselves fully equal to coping with the emergencies as they arose. Of Warden Thomas *Hobbys* (1494–1503) we unfortunately do not know all we could wish. The Register tells us "he was put in (to the Wardenship) *sociis non concordantibus*," yet his tenure of the office amply confirms the impression of a man of great vigour and strength of character, which his conduct as Proctor in 1491 conveys. We read in Wood that he materially assisted in quelling

"a violent quarrell between the gownsmen and the people of Woodstock. Three (of the rioters) were brought to All Souls College and thence were sent to Bocardo Prison to no other purpose but to stop or scotch the fury and malice of evil men."

Perhaps it was troubles like these which made Hobbys resign in 1503. After being a Canon, like several of his predecessors, he died seven years later Dean of "His Majesty's Chaple at Windsor."

He was succeeded by William *Broke*, who also resigned in 1524, after twenty-one years of arduous office. Like Warden Poteman, he became Moderator of the School of Canon Law, and was also Commissary for the University in 1520. An entry in the Bursar's rolls indicates that he founded a chantry in the College chapel, and apparently endowed it with the proceeds of some small estates at Crendon and Bosyate. It is during these two Wardenships that there occur two pretty examples of the inconveniences brought upon the College perhaps by its technical connection with the Crown. In the reign of Henry VII., probably in the year 1496, in consequence of the King's determination "to make by sea and by lande two armies royall for a substantiall werre to be continued upon the Scotts," a loan was demanded from All Souls. Warden Hobbys, however, like other wary men in a like situation, pleaded the existence of a partner—the statutes. "Hee hath given an othe," were his words, "that he nedre may lend . . . except hee should borrow hytt to his grete hurte." And though he had been informed "this is a thyng of so grete a weight and importance as may not be failed," coming as it did under "our signet at our Paleys of Westminster," his plump *non possumus* was apparently successful. The second instance lies in an adroit letter mysteriously issued "By the Prince," who requested a Fellowship "for our right and well beloved William Pickering, Scholar of lawe"

and promised in return to be "the more good and gracieux lord in eny yr reasonable desires hereafter." Prof. Burrows has with great ingenuity and probability fixed the authorship on Prince Arthur, the first husband of Catherine of Aragon. As the only known letter of his in English it has a rare interest of its own, but as perhaps the earliest example of royal interference with the statutory freedom of elections it is still more profoundly significant. Edward IV., the College records prove, had demanded and gained a lease for a *protégé*, but Prince Arthur's cool request struck a more imperious note. Yet All Souls was impolite enough to refuse—at least we infer so, for Pickering does not appear on the register of Fellows. But for monarchs as for subjects, through failure lies the road to success. Prince Arthur's was the first royal demand; it was not to be the last.

Yet if the rapidity of succession in the Fellowships during the first hundred and fifty years of the College's history might be cited as evidence, a Fellowship can hardly have been so tempting a post. It has been calculated, for instance, that the average number of vacancies in a year, during the fifteenth and sixteenth centuries, is "four and a fraction" as compared with two and a half in the eighteenth century. No doubt the natural passing on of many of the artists to benefices and the solid advantages of professional practice which lured many of the jurists to London or elsewhere, are partly responsible for the sinking of the average, but in themselves these are hardly adequate wholly to explain the difference. The meagre nature of the commons, the lack of comfortable accommodation, the

trifling value of the Founder's livery, the strict conditions of residence and the monastic rule of life, while they certainly do not seem calculated to whet a courtier's appetite, can hardly have struck even those who might be reckoned needy "scollers" as a very magnificent endowment. A sharp letter from Archbishop Warham to Warden Broke, "Wardeyne of *my* College of All Souls," may be mentioned in support of such an inference. Hearing that "Master Leycetur" pretends to keep his Fellowship while holding a benefice "contrary to th' ordinances of your statutes in that behalve," he severely forbids the practice, and threatens the College with little advantage or pleasure should it "make any further business in the law." The letter, moreover, reveals the disagreeable fact that "irregularities," as was inevitable, had begun to crop up. As early as 1500, Cardinal Morton, in an elaborate Injunction, had been obliged to regulate carefully the celebration of Divine Service, and unless the lengthy preamble is mere verbiage, his intervention was as much in the interest of "tranquillity" and fidelity in the observance of statutory duties as the settlement of complicated trifles in college etiquette. In 1519 Warham followed this up by an injunction requiring "disputations" in theology to be held every Friday in term, and created a new office, the *Rector Theologiae*, to see that the order was properly carried out. In the same year he wrote to confirm four persons as "scholars" (Probationary Fellows) "in spite of the absence of the Dean, which was wilful." After blaming the College for "their contentions at elections," he makes the first allusion to a charge, often to be hurled in the teeth of All Souls,

viz., "of regarding family more than merit" in their elections. He even threatens to apply to the Pope for a statute to remedy it. Little did Visitor or Fellows dream that before long, by their own act, it would be beyond the Pope's power to remedy this or any other "evil." Clearly, then, the state of the College was not altogether satisfactory. A graver abuse, however, here calls for a few remarks. It must have been at this time that there slowly grew up the so-called system of "corrupt resignations," by which the resigning Fellow acquired the right to nominate his successor, the other Fellows accepting the nomination, fully conscious that they in turn might be required by circumstances to avail themselves of a similar privilege. At first there may have been no "corruption," but before long it is evident that the nominee supplied his nominator with an "adequate consideration" for his good offices. To anticipate for a moment; by the seventeenth century the system had been so nicely elaborated that the Warden, who could not resign and nominate, but whose veto could render any election null and void, had been made a partner in the transaction by being tacitly privileged to nominate to "dead places"—*i.e.*, Fellowships vacant by death. Whatever may have been the "causes" which originated the system—the ingenuity of the legal element in the College, the absence of commoners to act as a check, the frequent elections consequent on the comparatively large number of Fellowships—we can scarcely avoid attributing its growth largely to the strict conditions of residence which made it impossible for any one aiming at a professional career to retain his Fellowship. And once this was so, the inevitable tendencies of human

nature operated with full effect. Two points, however, must be remembered. The practice was certainly not confined to All Souls; and, like most abuses, its continuity is not without some historical justification. True, when the College was largely ecclesiastical in character, it thoroughly deserves condemnation as "simoniacal pravity"; but, subsequent to the abolition of chantries, the question of varying ethical standards cannot be neglected. That the practice struck the average University man as morally wrong is by no means clear. Like bribery at elections in the past, or the system of "army purchase" in the present century, or "commissions" in the commerce of to-day, the existence of the evil was held to be its own justification. It was recognised; a Fellow was a "corporator" who regarded his Fellowship as his own property; if he had paid, why should he not sell? If the Crown or a Visitor could nominate a *protégé* in their interests, why could not a Fellow nominate a friend or kinsman in his? If, as is still more remarkable, men like Laud or Sheldon refused to interfere, why should he? In fact, the final extirpation of the abuse which plays so long and prominent part in the history of All Souls was in reality the triumph of the higher standard of the few over the lower standard of the many, and for this reason the moralist may well rejoice. That its removal also cut away the most serious obstacle to the unimpeded choice of the best men can only increase our admiration for those who grappled with the evil and overthrew it.

A pleasanter prospect of the doings of the College, even at this period of incipient irregularities, is opened out when we survey its achievements in the field of learn-

ing. With the commencement of the sixteenth century the Renaissance had attained its zenith. All Souls was one of the earliest Colleges to respond to the first breaths of the new spirit moving over the face of Europe that quickened the Oxford of Colet, Grocyn and Erasmus into new life. The College books bear witness, in the permissions of absence granted to various members, to the readiness of many to study abroad. Four distinguished names in particular connect All Souls with the Revival of Learning in England—John Leland, Thomas Caius, William Latimer and Thomas Linacre. Leland unhappily cannot be claimed as Fellow. Yet though a Cambridge graduate, he studied “some years in All Souls” and there made the acquaintance of Thomas Caius. Caius, now unfortunately forgotten, had been elected to a Fellowship in 1525, becoming Registrar of the University in 1552, and Master of University College in 1561. His friendship with Leland, who complimented him on his erudition and his authorship of a famous pamphlet, in which he refuted, at any rate to the satisfaction of all Oxford men, the superior antiquity asserted for Leland’s own *Alma Mater*, Cambridge, entitles All Souls to share with University the privilege of claiming him amongst her less distinguished sons. But in Leland, the finished classical scholar, and the earliest, if not the greatest, of modern English antiquarians, the College cherishes the forerunner of its eighteenth-century antiquary, Bishop Tanner. William Latimer’s fame has been quenched by his more memorable namesake, the saintly Hugh, “the heretike that was burnt.” Elected a Fellow in 1489, William Latimer devoted himself to studying logic and philosophy in his

College. Though justly "numbered amongst the lights of learning in his time," he is perhaps only known now as the friend of Pace and More and Linacre, one of the noble band to whom classical studies in England owe more than many are inclined to remember; nor does the Register exaggerate when we find written against his name: "*Inter literarum restauratores pro eximia in philosophiis humanisque literis eruditione multum celebratus.*"

Linacre, the greatest of them all, was elected a Fellow in 1484. His services in the cause of learning; his position as "the father of modern medicine" and the most distinguished of the sixteenth-century medical humanists; his foundation of the Royal College of Physicians, of which he was the first President; his endowment of two Lectureships in Merton College, which are now amalgamated into the University chair that bears his name, are too well known to all Oxford men to require retelling here. Personal traits are always worth recording, and Wood has pointed out the intimate tie between Linacre and that *esprit exquis*, Sir T. More, who "constantly heard Grocyn" when he "read publicly the Greek tongue," and "became a great proficient in that language and other sorts of learning by the help of Lynacre his tutor." In the history of All Souls, however, he has his own place, for it is probably due to his personal influence and brilliant career that medicine and "physic" were seriously added to philosophy, theology and law, as subjects for Fellows to study. That the Founder had contemplated such a development is proved by an incidental provision in the statutes for doctors in that faculty. But it is not till Linacre's

day that the new study took permanent root, and with him it "came to stay" in more senses than one, as we shall see. It certainly is a gratifying fact to record that the College, in its encouragement of Leland and Linacre, had the honour of equipping two pioneers in the cause of science and learning. Nor is it without reason that the portrait of the latter (a replica most probably of the portrait at Kensington Palace attributed to Quintyn Matsys) is hung in the College Hall not far from that of Sydenham.

CHAPTER III

ALL SOULS DURING THE REFORMATION

Wardens: John Coale, 1524; Robert Woodward, 1526; Roger Stokeley, 1533; John Warner, 1536; Seth Holland, 1556; John Pope, 1558; John Warner (again), 1558.

THE epoch of many-sided intellectual activity ushered in with the reign of Henry VII. was now rudely interrupted by the course of political and ecclesiastical events, which once more plunged the College into a series of crises, and from which it emerged with its character considerably altered.

The two Wardens who rapidly succeeded Broke can be briefly dismissed. John *Coale*, one of the royal chaplains, though he resigned after only two years of office, managed to connect the College and himself with the educational forces then at work. He is credited with the main share of the building and endowing of a school "within the site of the monastery at Faversham, making and appointing the Warden and Fellows of All Souls the electors of the Master." To-day the College still appoints one of the members of the Governing Body. It was also perhaps under Warden Coale's inspiration that one of the Fellows, John Incent, endowed another school at Berkhamstead, of which the Warden was to be the Visitor. Coale seems

to have been haunted by architectural aspirations, for an entry in the Bursar's books says he bequeathed £66 6s. 8d. "for the building of a new Quadrangle," and in "The Tower Accounts" £90 is also entered as his gift, though when and what the New Quadrangle was to be is not mentioned. Possibly it is the beginning of the scheme finally completed by Hovenden. The name of Warden *Woodward* (1526-33) only occurs in three or four leases and documents, one of which is an indenture

"granting a piece of land next to All Souls College in consideration of the burning of a taper of wax of 1 lb. weight before Seynt Jerham in the same college."

But with Roger Stokeley (1533-36) the plot begins to thicken. Wood tells us how in 1533

"Two Fellows of All Souls, George Throgmorton and John Ashwell, went to Cambridge and challenged any of the Cantabrigians to dispute

Whether {The Civil Law is more excellent than medicine.
A woman condemned to death and twice hung
up ought if the noose breaks to be hung up a third time.
And the said Throgmorton behaved himself so well that
by the judgment of most men he came off with great
applause."

The next year brings distinct evidence of the legislative revolution in the relations of Church and State then being accomplished. A lengthy document, dated September 28, 1534, declares that the Warden and Fellows "with one mouth and voice assent and consent under our Common Seal affixed in our Chapter House" to accept the marriage of Henry with Anne Boleyn as

lawful, to renounce the authority "of the Bishop of Rome, who in his bulls usurps the title of Pope," and to regard the King as "Supreme Head of the English Church." The omission of the qualifying words "*quantum licet per legem Christi*" has been commented on and might be attributed to ultra-reforming zeal—Leland, we know, adopted early the principles of the Reformers—did not the subsequent history of the College prove that there was no lack of the leaven of the old conservatism. Against the name, for example, of H. Gold, elected a Fellow in 1519, is written in the Register, "hanged at Tyburn, *propter crimen læsæ majestatis*, along with Eliz. Barton, vulgarly called 'The Holy Maid of Kent,'" though the annotator adds, with patriotic caution, "since there are so many names alike so great a disgrace ought not to be lightly branded on the College."

According to Wood, the Royal Visitors of 1535 were responsible for introducing two important changes into the educational organisation of the College.

"In All Souls were established," are his words, "two publick Lectures, one of Greek and another of the Latin with an honest stipend . . . & (the visitors) joyned a Civil to the Canon Law Lecture in every Hall and Inn."

The precedent of interference thus set up was not to be forgotten, as we shall see.

Another graphic little touch of the troubled time through which the University was then passing may here be cited from Wood's *Fasti*, under the year 1535. Edmund Shether of All Souls was Senior Proctor, and, writes Wood:

"Which Proctors, especially the senior, having received divers affronts from the townsmen, were with their retinue forced to walk day and night armed. And when the said Shether was going out of his office it was decreed that if he should be molested by the oppidans he might defend himself at the University charge."

The next year, 1536, Stokeley was succeeded by John Warner—even if we include Andrewe and Hobbys—the most remarkable Warden since the foundation of the College. The political development of the next thirty years combined with his own strongly marked personality to make his Wardenship memorable. Warner enjoyed a distinguished and, all things considered, a prosperous career. At the time of his election he had already served as Proctor, and his appointment in 1535 to be the first Regius Professor of Physic connects him with the new departure associated with the name of Linacre, which is also illustrated by the eminence attained by one of his contemporaries, Richard Bartlett, elected in 1495, and later President of the College of Physicians, to which he had been admitted in 1508. Warner's embassy to France in 1550 moreover shows that he had not forgotten the tradition of service under the Crown built up by his predecessors. But, after all, the best proof of his ability and tact is his wise and cool direction of his college through the bewildering changes which perplexed his age. It is difficult to pronounce what his religious convictions were. That he found favour in the sight of Henry VIII., Edward VI., and Elizabeth, and did not "suffer" in the reign of Mary, testifies to his willingness to conform, outwardly at any rate, to the authority of the Sovereign. It

would not be unjust to class him with the many distinguished *Politiques* who did not allow "the court of conscience" to be an obstacle to the performance of undoubted secular duties. Warden Warner would probably have regarded Siéyès' immortal "I lived" as an unanswerable justification of his seeming opportunism during two Reigns of Terror.

His guiding hand can be traced in many directions. He began the rearrangement of the College archives, and wrote a short life of the Founder, from which (p. 35) a quotation has been made. As the builder of New Lodgings for the Warden he definitely stamped his memory on the architecture of All Souls. Till Warner's time the Warden had continued to occupy the two rooms in the south-east corner of the Quadrangle originally assigned to him. But now, thanks to his own contributions and generous assistance from his contemporaries, such as Bartlett, Sir J. Mason, Sir W. Petre and David Pole, later Bishop of Peterborough, a new set of apartments, six in number, lying directly east of the old Lodgings, and with a frontage on the High Street, was built in 1557. The main chamber in the new set, "the great dining-room" (now occupied by a Fellow), as finally adorned by Warden Hovenden, has been rightly called one of the finest sixteenth-century rooms in Oxford. By this substantial addition the annexing of a new quadrangle to the original plan of All Souls was only a question of time.

With the Acts for suppressing the chantries spoliation once more threatened, yet why the College escaped has excited perhaps unnecessary speculation. The Commissioners of 1852 in one passage assign the prominence



From a photograph by thec

THE WARDEN'S QUADRANGLE

[Oxford Camera Club



of "the collegiate element," and in another "of the literary element" as the main reason. To this Professor Burrows would add the character of the College chantry as one not of monks and friars but of secular priests as well as the intellectual distinction of its members. Even simpler reasons are suggested by a consideration of the Acts themselves. By the Act of 1545 the Colleges in the Universities were, as Mr. Leach has pointed out,* "deliberately swept into the ecclesiastical net," since Henry was empowered to issue commissions, if he pleased, "to seize and take the same chantries unto the King's hands to hold to the King's Highness, his heirs and successors for ever." Wood's comment on what the facts allow of being called the King's self-restraint would have delighted Mr. Froude. "As for the colleges and chantries," he says, "he did excellently moderate himself as to the taking of them into his hands." But with Henry's death this power lapsed, and in the second Act (1 Edw. VI.) the Colleges and Halls were deliberately exempted from confiscation, provision, however, being carefully made that chantries, where they existed, were to be "altered and converted to good and godly uses"—*i.e.*, abolished in accordance with the principle of 'ordering' by extirpation all that made for "the continuance of superstition, blindness, and ignorance." All Souls escaped—that is the patent fact—very largely owing to Henry's death, for, while he lived, there was always more than a chance of any particular college falling a prey to royal or Court rapacity, especially one like All Souls, in which the prominence of its chantry lent an easy handle to greedy

* Cf. Leach, *English Schools at the Reformation*, pp. 58-61.

fingers. The result of the Edwardian Act was none the less a radical change in the character of the College. Of its previous chantry functions there remained, under the definitive Elizabethan Settlement, only the Commemorative Prayer of Thanksgiving for the Founder and his benefactions, read by the Warden to this day every Friday morning in chapel, and the Special Service of Thanksgiving on All Souls Day, which still marks that festival as "the great day of the Society." It is characteristic that, while the statutes commanding prayers for the dead were forbidden by Act of Parliament, they were not formally removed from the statutes of the College until 1857. Curiously enough, too, the Commissioners of 1852 would see in the duty of caring for the Founder's Tomb at Canterbury another relic of original chantry functions. But surely gratitude and a proper sense of obligation to a Founder are not special attributes of chantries alone.

All Souls, such is the irony of events, thanks to Warden Warner, even profited to the extent of a few small pickings from the "resumptions" made by the Crown in the case of other chantries and monasteries. A grant of Henry VIII., dated July 3, 1544, under the Great Seal, confirms the purchase by John Warner, one of the royal chaplains, for the sum of £200 8s. 2½d., of some small manors at Sutton and Roryngton, together with Friarwoode, Stanton Harcourt, "late belonging to the preceptories of Quenyngton and Dynmore, and to the monasteries of Shrewsbury and Haughmore."

Probably in the same year, reckoning, no doubt, on this signal mark of the royal favour, Cranmer writes to the Warden, demanding for the King "A Demy-

launce and two light geldings against his Grace's going this summer into Ffraunce." It was not Henry's first demand, for in 1525 he had asked for the loan of £100 for a similar purpose. Apparently both requests were successfully evaded, but in the next year the College could not escape from its "obligations," for the archives contain a "Receipt by Richard Gunter, collector of the benevolence granted to the King, of £20 from the Warden and his College." The next royal missive appears in 1550, from Edward VI., and was almost an order "upon sight of these our letters to graunt unto our well-beloved servant, Dr. Mendye, our physician, under your common seal, a lease for 21 years" of the farm of Wedon Weston in Northamptonshire. The Tudors were already progressing; but All Souls remembered Warden Hobbys, and again pleaded the inexorability of their partner—the statutes, aggravated by the absence of their Warden, "now with your Grace's ambassador in the French Court." Proceedings were thus stayed, and as no such lease is to be found in the archives, Warden Warner on his return must have cajoled the powers at Court into forgetting the impotency of Dr. Mendye.

But these "rude interventions of arbitrary power," as Dr. Wenman has courageously called them, pale before the peremptory action of the Visitor and the Crown, which now claim attention. Cranmer had already made himself thoroughly well known to "his" College of All Souls before he wrote on the King's behalf, for the year 1541 had seen the first of the four solemn Visitations which an Archbishop has thought fit to carry out. He had been induced to exercise his supreme

visitatorial authority by complaints of "the prevalence of scandals and abuses," and the result of the searching investigations of his Commissary, Dr. Wright, was a sheaf of Injunctions, perhaps the best justification of his intervention. They reveal the Archbishop to us as conscientious, zealous, high-minded, with a fine command of denunciatory invective, yet not without a touch of the peevishness of the overworked Puritan. In a string of lengthy clauses he urges the College to attend more strictly and devoutly to the celebration of the divine offices in the chapel (these, we may parenthetically remark, are according to the Roman ritual. Was the negligence here reprimanded due to the spread of "Protestant opinions" among the Fellows?). The Warden is bidden loyally to reside in College and not absent himself for more than sixty days in the year; the College officers are to execute their charges with more diligence; certain Fellows are ordered to "proceed to their degrees" and take orders without delay as required by the statutes; the "disputations" are to be more punctually kept, and the junior Fellows are to show more obedience to their seniors—the officers and the Warden. Sharper language is used when the Archbishop passes on to the Rule of Life and the morals of the society. The peremptory refusal to allow the Founder's livery to be paid in money shows that such commutation was being demanded, if not already begun. Cranmer's refusal was an attempt to put back the hands of the clock, for only next year he revokes his interdict "for one year only," and so led the way for Whitgift's final concession. The Fellows are not to "nourish dogs" within the

walls of the College; and they are to wear "gowns reaching to the heels, shirts that are plain and not gathered round the collar or arms, or ornamented with silk." The habit of sleeping out of, or allowing lads to reside within, the College, is expressly forbidden, and so is the custom of expecting newly elected Fellows to entertain the society. Furthermore, two portentous clauses dealing with intemperance and brawling urge them to abstain "*ab omni scandalo, offensione, jurgiis, odiis, provocationibus, rixis, contumeliis, nec non et verbis opprobriosis*" ("from all scandal, offence, brawlings, hatreds, provocations, quarrels, insults, and moreover all opprobrious words"), as well as from all "*compotationibus, ingurgitationibus, crapulis, ebrietatibus, ac aliis enormibus et excessivis commensationibus*" ("potations, guzzlings, drunkennesses, tipplings and other enormous and excessive revellings"), clauses whose sonorous verbosity almost defies translation. Finally, and most serious of all, four paragraphs command the summary forfeiture of a Fellowship where the vacancy has been created by a "corrupt resignation," affording melancholy proof that the evil had already taken firm root. For those who choose cautiously to read between the lines, these Injunctions throw valuable light on the social life of All Souls. Yet it is easy to over-emphasise the laxity which they were intended to correct. The defects stigmatised are just those which increasing prosperity fosters in every institution in an "age of transition" when the old social and religious order was crumbling away. Cranmer, too, is occupied with warnings and not with a statement of facts; of the normal life of the society he says nothing, and though the preamble refers to

"enormous abuses" (*multa enormiter ac inordinate fieri*), the words are at best a rhetorical and pious exaggeration. That there were "abuses" we may fairly assume; that there was a general collapse is neither asserted nor proved. In the second place, the Archbishop's simplicity as to his method of dealing with "corrupt resignations" almost provokes a smile. He imposes no special oath, merely sworn obedience to the Injunctions as a whole, and there he stops. A century and a half were to show that far more drastic measures were required to stamp out so convenient a system of "bartering the Founder's bounty." Most important of all, Cranmer's vigorous action marks an epoch in the evolution of the constitutional powers of the Visitor. It is true that his Injunctions are strictly corrective and interpretative; they lay down nothing at variance with the original statutes. None the less, they established a precedent for his successors. Hence the step from Cranmer's judicial interpretation to Whitgift's exercise of virtual legislative power was comparatively easy. If it be accurate to describe the statutes of the College, as they came to be prior to 1852, as a Lambeth-made constitution, Cranmer's Visitation is the first clearly defined turning-point in the transformation.

The action of the Royal Commission followed hard on the heels of the Archbishop's intervention. Like most Royal Commissions, Puritan or otherwise, it had no scruples about carrying through a revolution if need be. The forty-five ordinances specially dealing with All Souls, which the Visitors with grim modesty call "*hæc pauculæ ordinationes*," would, if fully executed, have almost abolished the original constitution. They

may be briefly summarised under three heads : *religious, disciplinary, and scholastic. With regard to the first, the old order in religion is purged with almost snappish brevity. The Mass and all "antiquated papistical offices" are swept away; the new service is inserted in their place. Daily reading out of the Bible is commanded, and the catechism, as authorised by Parliament, is to be taught. To this is added the command that henceforward

"There is to be but one altar, or rather Lord's table in the chapel; all the remaining altars, images, statues, tabernacles, the things they call organs, and all similar monuments of superstition and idolatry are to be altogether removed."

And removed they were with a vengeance and "a zeal actuated by a superstition as great as that of their opponents." The magnificent reredos was pitilessly defaced, its images thrown down, most of the stained glass broken up, the altars taken away. Chichele's chapel, adorned with the benefactions and consecrated with the memories of six generations, was left a mere wreck, not capable, it would seem a century later, of provoking even the "godly zeal" of a second Puritan Visitation. Why the north windows of the ante-chapel escaped to remind the nineteenth century of what the whole had once been, lies hidden in "the abysmal depth" of a rioter's conscience. One result of this cruel devastation is especially striking. After 1549, All Souls never again enjoyed the privilege of the "things they call organs," and, to our own day, has remained unique amongst Oxford colleges in that it celebrates its services

without the music of an organ. The disciplinary regulations are similar in spirit, if more emphatically worded, to those of Cranmer. They forbid the wearing of "prodigious" garments, the sewing up of gowns in front, going out of College bareheaded, or wearing caps "unfit for scholars," and they insist on the maintenance of a "sedate and grave" behaviour on all occasions, together with the use of Latin, Greek or Hebrew in daily conversation. Chancies being abolished, the moneys arising therefrom were given to the Fellows appointed to read prayers, the names being changed into "exhibitions for the chape." Hence the Fellows are to cease cultivating "shaven rotundities of head," and two months are allowed those already possessing a tonsure to grow their hair. The frequent ringing of bells, "particularly that rustic sort of ringing which reminds one of people quarrelling or insane," is sharply condemned as "noxious to study."

As to education, the Ordinances are equally explicit. From all artists attendance at the professorial lectures in theology is required; the disputations for them and the jurists are made more stringent, and to promote progress more frequent examinations are to be held. Six important clauses deserve particular notice: (1) A Professorship in Theology was apparently created. This became a precedent to the Commission of 1852 when it "erected" two special Professorships endowed out of "the corporate Funds." (2) No Fellow is to hold his Fellowship for more than twenty years unless he be a Professor. (3) Service under the Crown is to be recognised as a reasonable excuse for non-residence. (4) Grammar and Latin are not to be taught in the

College—*i.e.*, it is not to act as a boys' school, but to continue strictly as a society of graduates. (5) One Fellow is to be always an Irishman. No reason is urged for this. (6) Since the College is essentially one "for the children of the poor," a property disqualification of ten marks is to be enforced.

We have Wood's authority for believing that a more sweeping change was contemplated, "by which the civilians in Oxford shall be in one college and the physitians and chirurgians in another." Thus All Souls was to transfer its artists to New College, receiving in return the Wykehamist jurists. Wood adds truly enough :

"as for the translation I find it nowhere to appear . . . neither also that they appointed a college for Physitians. It could not be brought to pass without great labour and time."

All Souls was happy to escape, too, "the purging of the libraries" which other colleges suffered. All apparently that was done was to blot out or erase the Pope's name from as many MSS. and books as could be discovered bearing the hateful and superstitious title.

The constitutional changes proposed remained in fact for the most part a dead letter. Two only were permanently effective ; the fourth, which decisively nipped in the bud the growth of a school in connection with the College, and was a serious blow at the possibility of its developing permanent educational functions ; and the second, relating to the claims of royal service, where the Visitors probably only gave legal expression to a fairly definite custom. The term was capable of the

most ingenious interpretation, and could be gradually used to cover all sorts and conditions of service, from "being a Parliament man" to attendance on the staff of an ambassador or a commission in the Fencibles. The other regulations at best stand out as interesting anticipations of the ideals of much later academic reformers. For this result the severe reaction which followed Mary's accession no doubt was partly responsible. Everything points to it as an interlude of confusion and disorder. The religious imbroglio, the scarcity of students, the serious falling off in the lectures, aggravated by the onslaughts of "a pestilential disease," are well illustrated by the "promotion" of Francis Babyngton, elected a Fellow in 1557, and Senior Proctor in 1559.

"He was the only Doctor of Divinity," writes Wood, "having before in the same year (1559) been elected Master of Balliol College and in 1560 Commissary, Rector of Lincoln College, and Margaret Reader; which sudden promotions are not to be attributed to the deserts of the person, but that the University was very empty and that anyone proceeded as he pleased."

Cardinal Pole, who had replaced Sir John Mason as Chancellor of the University, and who, as Archbishop, was now Visitor of All Souls, was "minded to reform the University" and "restore the laudable customs," and under his auspices a process of "purging began." In 1554 we read of Mr. Edward Anne that he was

"a pupil of Jewell's, and having through the zeal he bore to the Reformation made a copy of verses against the Mass, Mr. Walsh, the Dean of Corpus, whipt him in the Common

Hall, giving him a lash for every verse . . . and he was upon sorrow for his former errors and compliances made first chaplain and then Fellow of All Souls."

Wood's further statement that the Archbishop's Visitors "made such a close and strict inquiry after Hereticks that they were forced either to dissemble or fly into corners," is confirmed with obvious zeal by the Register, which relates

"how L. Lawrence, a Fellow and Public Professor of the Greek Tongue by the aid and council of Bishop Jewel, whose chamber-fellow he had once been, escaped from the hands of the most cruel Bonner and fled to Strasburgh."

And the Inventory drawn up by the College and presented "to the Visitors of my Lord Legate" is instructive on the subject of religious ritual, for it proves that most of the chapel furniture (a "Tabernacle and two Reliquaries" are specially mentioned) had been saved from the "purging" of 1549, to become the "superstitious monuments" of furious controversy in the next reign. Yet, as there is no record of the separate images scheduled in former inventories, nor of the relics, we infer they had already met with the fate of the reredos. The distinctly Roman services, even the chantries, certainly were resumed, for the will of Edward Napper, who to-day figures in the Commemorative prayer, has these provisions:

He bequeaths £3 to All Souls Chapel to buy ornaments; 6s. 8d. to the Warden; 40s. to the Fellows and chaplains; 10s. to the clerks and choristers present at the Mass and *dirige* sung for him and to the College lands in South Petherton, Somerset, lately a chantry of

St. John's, and a tenement in Whateley, Oxon, on condition of their keeping his *obit* and giving 10s. to the poor.

Mary's reign was, in fact, a St. Martin's Summer for the Roman Catholics in All Souls, though Napper's benefaction was the last of a chantry character enjoyed by the College. Yet All Souls in its frankly Roman Catholic sympathies was probably only typical of the University in general. Jewell (as quoted by Mr. Gee, *The Elizabethan Clergy*, p. 131) wrote in May 1559:

"at Oxford there are scarcely two individuals who think with us . . . that despicable friar Soto and another Spanish monk . . . have reduced the vineyard of the Lord into a wilderness."

How Warden Warner viewed these efforts is not recorded. Eighteen months after Mary came to the throne he had discreetly, if "spontaneously," resigned his Wardenship. That this was due "to a secret affection to the Protestant religion and a dread of persecution" is pure conjecture. What is certain is that he retained his ecclesiastical preferments and even obtained a new Rectory as late as 1557. Cardinal Pole, *charitatis intuitu*, promptly appointed Seth Holland in his place. But he only remained Warden until June of 1558, when he too resigned, perhaps because he knew that with Mary's death his position as a Papist was impossible. According to Strype, he was entrusted with Pole's last message to the dying Queen "to stand firm." Elizabeth deprived him of all his spiritualities for refusing to take the oath of supremacy, and he was

sent to the Marshalsea, where he died in 1560, the first and the last of those who have been Wardens to meet their end in prison. John Pope was Pole's next nomination, but he, too, died before he could be admitted (November 11, 1558). A few days later Pole followed his nominee to the grave. The day of his death is marked with this entry in one of the missals in the Library: "*Obitus Reginae Mariae cuius animo propitiatur Dominus.*"

The Cardinal seems to have been genuinely interested in "his College" of All Souls, and enriched the Library with the gift of some books and MSS. More generous still, he had on March 22, 1558, granted to the College "the tithes, Parsons wode and rectory of Stanton Harcourt," a grant which Elizabeth and her Court did not allow them to forget.

The Wardenship was still vacant. On Pope's death the College had proceeded to elect, but as both artist and jurist candidates failed to get a majority of their faculties a devolution went up to the Visitor, who reappointed Warner. His return to the post under Elizabeth's auspices seems to confirm the conjecture that his previous resignation was not unconnected with Mary's aggressive policy.

The Marian episode was at an end. The way was open for a new epoch.

CHAPTER IV

THE AGE OF ELIZABETH AND WARDEN HOVENDEN

Wardens: John Warner, 1558; Richard Barber, 1565;
Robert Hovenden, 1571.

THE new chapter in the history of All Souls opened by the accession of Elizabeth, though it has its full share of crises, constitutional and domestic, is chiefly remarkable as an era of strenuous reconstruction and definition. Just as the momentous forty-five years of the Queen's reign span the bridge by which we pass to an England ready to develop its modern structure, so it is not altogether fanciful to see in the University and the Colleges a reproduction in miniature of what was taking place on a grander scale in the nation. In this re-moulding of the framework of All Souls, three Archbishops as Visitors—Parker, Grindal, and especially Whitgift—play a conspicuous part, but the credit for a temperate and firm administration must be more than shared by the three Wardens who co-operated with them, Warner, Barber, and, above all, Hovenden. Warner's second period of office commences with his appointment (along with his fellow collegians, Sir John Mason. John Watson, and

Andrew Kingsmill) as one of the Visitors * "to make a mild and gentle, not rigorous, reformation," and generally reorganise the academic polity on Elizabethan principles. The main problem was religious, but Warner, who shortly became Dean of Winchester, true to his "Politique" maxim of *quieta non movere*, acted with the moderation eminently characteristic of the years of suspense in which Elizabeth felt her way after the Marian reaction. Though one of the primary duties of the Commission was to "purge all College chapels of superstitious utensils," he apparently did nothing in his own College, leaving to his successor to reveal to the Government the obstinate courage of the party of the old tradition in the matter of "the superstitious monuments." Only two Fellows were expelled for "non-compliance" in taking the oath of supremacy, viz., T. *Dolman* and T. *Dorman*, "who went abroad and became Roman priests," and the latter of whom settled at Douay and took up the cudgels for the Vatican against Jewel. A third Fellow, by name *Jasper Heywood*, probably had also to leave the College. He figures in Wood's pages "as King or Christmas Lord of," Merton "being, it seems, the last that bore that commendable office . . . as well an able poet as disputant. He turned Jesuit, in which order he lived and died." And Wood's statement is confirmed by the College Register.

Another former Fellow, *David Pole*, probably the relative and reputed to be the brother of the late

* This rests on the authority of Wood's *Annals*. Mr. Gee's list in his *Elizabethan Clergy*, p. 130 (from a MS. at Lambeth), omits Warner, Kingsmill, and Watson.

Cardinal, fared rather worse. Elected in 1520, he had been prominent as a stern Catholic and distinguished Canonist. In 1540 he became Dean of the Arches, and as Archdeacon had sat on the Commission which "deprived" Ridley and Latimer and the Visitor of his own College, Cranmer. Then Vicar-General to the Cardinal Legate, he was active in suppressing "heresy," being rewarded with the Bishopric of Peterborough in 1557.

In 1558, on Elizabeth's accession, he seems to have declined the oath of supremacy, and was shortly "deprived." Though the statement of Sanders, that he was imprisoned *in vinculis*, does not seem correct, he was in 1562 ordered "to remain in the city of London and suburbs," "having no other gaoler than his own promise." Even this was relaxed, for in 1564 the Bishop of Coventry and Lichfield bears witness to his influence; "the abiding of Dr. Poole," he wrote, "with Brian Fowler, Esquire, a little from Stafford, causeth many people to think worse of the regiment and religion than else they would do because that divers lewd priests resort thither."* He did not long trouble the Government, and on his death, in 1568, added to his previous gifts to All Souls a magnificent legacy of MSS. and books, the Library Benefaction Register recording the names of no less than 168 separate authors in law, philosophy, and theology as his bequest—the largest benefaction of any donor, save Codrington, and well worthy of the "ancient and grave person" David Pole was held to be.

But the time for *laissez faire* was past. In 1565 we have to take leave, in Warner, of a Warden who would

* Quoted by Gee, *The Elizabethan Clergy*, p. 196.

probably have been proud to sum up his policy in the famous

“For Forms of Government let fools contest
Whate’er is best administered is best.”

He was succeeded by Richard Barber, who had graduated with a law degree. The sharp contest which took place over his election strikes the keynote of his brief and stormy Wardenship (1565-71), and incidentally illustrates Parker’s reprimand, issued in Warner’s last year, to pay better attention to the statutes and to cease all disputes. Barber, as might be expected from one whose election to a Fellowship dated back to 1539, naturally belonged to the old school, whose views speedily brought on a conflict with the State. In 1564, Parker had written urging All Souls to sell “its superfluous plate” and apply the proceeds to the purchase of land “lying commodiously to the College,” a reference most probably to the waste ground so obviously marked out for annexation by the building of the New Lodgings of the Warden. Judged by the sequel, too, the advice was more than a kindly hint at what was shortly to follow; for on March 5, 1566, Parker, apparently still as Visitor, again wrote saying he has had

“information of certain plate reserved in your college, whereat divers men justly be offended to remain in such superstitious fashion as it is of,” and requiring “it to be defaced,” as well as “to make a perfect Inventory of the said plate and the numbers and fashions of their vestments and tunicks.”

From the Inventory it is clear a mass of articles had been zealously hidden away “which served not to use at

these days." Otherwise the letter fell on deaf ears, for on March 26, 1567, the Archbishop, this time as Head of the High Commission, intervenes peremptorily because "the superstitious monuments are still retained." "In the Queen's name," certain things in the present schedule annexed are to be sent up to Lambeth, mainly a list of "Mass Bookes, portmisses, grailes, antiphoners, Processionalls, an Invitatorie Book, a great Pricksong book," and others of a like character.

First two, and then four, of the "refractory" Fellows were brought with their Warden up to London to "explain," and the Register of April 23 contains an order for Barber on his return

"to cause the church plate to be defaced and broken . . . except six silver basons with their Ewers or Crewetes, one Tabernacle gilt with two leaves set with stones and perles, two silver bolles, a silver rodd and three processionalis."

A certificate of compliance was also to be supplied. But the Fellows had hardened their hearts. They must have known of the struggle raging at Court, and as yet they were not to be crushed merely by "a pair of lawn sleeves." Five years actually elapse, and then in May of 1573 a new and largely Puritan Commission, dominated by Leicester's influence, brought them to book.

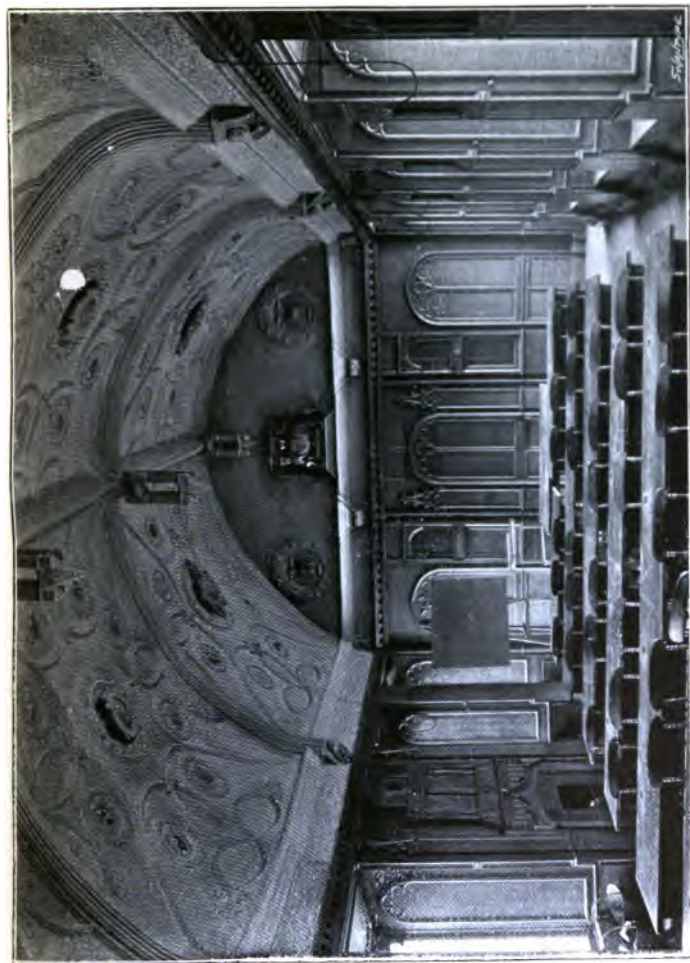
"As you will answer to the contrary at your peril," the order ran, "within eight days all copes, vestments, albes, mass books, crosses, and such superstitious and idolatrous monuments" must be "defac'd."

The College made the eight days eight months. On December 1573 a final peremptory command "to make

the true certificate" was issued, and at length was grudgingly obeyed. It had taken nine years to bring about the "defacing," and the hoarded "monuments of superstition" now shared the same fate as the reredos and altars of the chapel, while all that remains to the College of to-day is the record of the stubborn struggle, two mazers, "one rimmed with gold," the "silver rodd," and a crumpled leaf in the archives torn out of a service book containing the names of the benefactors for whose souls prayers had once been offered. Throughout there is no mention of the relics, "the tooth of St. John the Baptist" and the "fragment of the true Cross," which confirms the inference that they had disappeared before the Visitation of Cardinal Pole.

All Souls, while fording the stream, had changed its Head. In 1571 the resignation of Barber, possibly oppressed by the too vast orb of his fate, introduces us to one of the finest figures in the College annals, *Robert Hovenden*, destined to preside over its fortunes for forty-two years. The new Warden, chosen *summo consensu*, was only twenty-seven years of age, and was already domestic chaplain to Archbishop Parker. Later he became a Prebendary of Canterbury, Wells and Lincoln, and Vice-Chancellor in his own University; yet, if he is not the most distinguished in the larger world of Church and State, judged by his purely collegiate career he is perhaps the most striking of the Wardens of the past. On almost every department of the life of All Souls he has left the unmistakable impress of his strength of character and the power and range of his administrative and organising ability, the literal truth about which is expressed in the epitaph on his monument in the

ante-chapel, "*cum huic musarum domicilio magna cum sagacitate et prudentia per tres et quadraginta annos prae-fuisset.*" We may note among his many minor improvements the fact that the first College minute-book owes its existence to his care. He introduced a better system of keeping the College accounts, and himself catalogued and arranged the growing piles of deeds and archives, of which the massive oaken cabinet (now in the muniment-room) with its inscription, "*Confectum 1582, R. Hovenden Custode,*" is the picture of evidence. He added to the treasures stored therein an exquisite series of maps of the College property, illustrating in almost a unique manner the "open field system" of agriculture and prefaced by the precious *Typus Collegii* or "View of the Buildings," which is the earliest and best authority for their original plan and structure. He reorganised and beautified the old Library, where to-day we can see the handsome carved fireplace and panelling, arched over by the ornate stucco vaulting of the barrelled roof. At the one end "the Royal Arms surrounded by a Rose, a Fleur-de-lis, a Harp and E. R.," at the other Chichele's escutcheon with "its swan supporters" and ranged on either side the University arms and those of the fifteen colleges then in existence, would alone serve to keep his memory green. He completed the adornment of the Warden's Lodgings, begun by Warner, adding to the great dining-room, as in the Library, the Royal Arms of England, those of Chichele, and his own. Still later, in 1606, he threw out a study, which shyly peeps forth from the right-hand corner of Loggan's print. Nor did he forget the garden, about which we may quote his own words :



From a photograph by the

THE OLD LIBRARY

[Oxford Camera Club

"The Warden's garden was some time the Rose Inn, and being purchased by Sir W. Petre and given ye coll. it lay waste till 1573, when Master R. Hovenden deaired the Compy to grant it him and he would enclose it and remove the well which was called the Rosewell standg in it (whereof it was said merrily the fellows wash'd every day in Rose water) upon his own charges. The week before Easter 1574 he began to level ye ground, and the whole charge came to £14 2s. 10d., and ye well with ye pump 40s."

Last and not least, he was the first married Warden (which may explain his desire for more house room). If he had a failing, it was his strong family affection. Two brothers, both of whom were Fellows, secured during his lifetime beneficial leases of College property, and a memorial in the parish church to Christopher, the Rector of Stanton Harcourt, records the Warden's sense of the "duties" of a "*frater pientissimus*."

Though the religious difficulty with the "defacing" of the plate had received its quietus, the ground was only cleared for numerous other problems, constitutional, financial, disciplinary, which now pressed for solution. In Strype's pages we can read how the young Warden at the very threshold of his career (1572) came into conflict with one of the Fellows, Henry Wood, "for not taking orders." Hovenden insisted on the statutory requirements being carried out, whereupon Wood procured a peremptory royal dispensation from Elizabeth "to continue as a physician not entering the ministry." The exemption and its reason are remarkable, as forming the earliest precedent on record of what was to become a regular custom, and against which

more than a century later Warden Gardiner was to dash himself in vain. On this occasion Archbishop Parker stood by Hovenden, declaring that "the saide Wood is stept in a manifest perjurie to sue for any dispensations," and much grieved "that of fortie suche fellows in the house there are but two preistes." Still the Queen's Grace was the Queen's Grace, and Parker could only add: "Yf her highness will take it upon her conscience to breake suche ordinance, I referr it to her majestie." Hovenden was not so compliant, and stuck to his pressure on the would-be "physician"; whereupon he was summoned to my Lord Treasurer, Burleigh, to explain his daring opposition to the royal wishes. He appeared with an epistle from the Archbishop, "wherein the latter prayed his honour to be good to that honest young man in the care of that college," and the matter was compromised. It was Elizabeth's and Burleigh's first proof of the dogged conscientiousness of "the honest young" Warden of All Souls, but it was by no means to be the last.

The lawyers, too, were beginning to cause no little trouble. The Tudor epoch had proved unkind to the civilian and canonist. In 1536 Henry, by stopping public lectures and degrees in the canon law, had virtually prohibited its academic study, and the civil law had suffered from its discredit. "Although the civilians," wrote Fuller, "kept canon law in *commendam* with their own profession, yet both twisted together are scarce strong enough in our own sad days to draw unto them a liberal livelihood"; and it has almost passed into a platitude how "the books of the civil and canon law were set aside to be devoured with worms as savour-

ing too much of popery." No wonder the jurists of All Souls, influenced by the growth of the common law and the desirability of residence in London if professional success was to be gained, had searchings of heart. They now desired two changes: (i) the right to interpret the statutes as including the study of common law; (ii) the right to combine a Fellowship with practice away from Oxford. But Grindal was stern; in 1582 he pronounced that a jurist who left the College to study common law must forfeit his Fellowship, and with magnificent arbitrariness even appointed a new Fellow to a place summarily declared vacant in consequence of his ruling. Hovenden's agreement with the principle can alone explain why the College did not protest against this assumed prerogative of nomination without a formal devolution. Whitgift, the stern Whitgift, was more lenient. In 1586 he virtually freed the jurists from the obligations to take orders, though he forbade, on pain of forfeiting his Fellowship, any lawyer to be absent from study for more than two years or to practise as a civilian in any courts other than those within the precincts of the University. In 1609 Bancroft, however, revoked this latter injunction on the ground that

"the said restraint is more prejudicial than I suppose was ever intended by my predecessor."

Yet even before this the lawyers are almost the most flourishing element in the College, no doubt aided by the reaction in favour of the civil law, which dates from Alberico Gentilis' settlement in Oxford (1580). Through them All Souls is prominently connected with

New Inn Hall, the headship of which for a time almost became a monopoly of All Souls men. Between 1545 and 1626, out of nineteen Principals twelve hailed from All Souls, a list that includes many of the most distinguished names of sixteenth-century jurists—*David Lewes, William Aubrey, John Griffith, Robert Lougher, and Sir Daniel Dunn*. The connection, it is remarkable, stops as suddenly as it began, for after 1618 we have to wait for Blackstone to find another All Souls man Principal. It is also noticeable that in *Robert Master* the College provided for St. Alban's Hall the first Principal "that had not been either a Fellow or Scholar of Merton College." Still more striking is the connection with the early life of Jesus College. Why there were so many Welshmen studying law in All Souls at this period is a difficult problem. Some explanation may perhaps be found in the clause of the statutes giving preference to candidates coming from where the College had lands, and both at Alberbury and Llangenith there was a Welsh population to be drawn on. What is certain is that the first four Principals of Jesus College and the sixth were from All Souls, viz., *David Lewes, John Griffith, Francis Bevans, John Williams, and Francis Mansell*, and, furthermore, Aubrey and Lougher were amongst the original Fellows when Jesus was founded in 1571. Later, in 1625, Jesus also had to thank All Souls for one of its benefactors, *Oliver Lloyd*.

The Welsh Fellows, Wood would have us believe, were largely responsible for much of the general restlessness and lack of discipline which tried Hovenden so severely. In 1587 he writes:

"One of the colleges (I mean All Souls) was almost subverted as to its government by the troublesome Welsh scholars ; they, being a majority, carried all things at their pleasure,"

on which the College Register sharply remarks that Wood is "too credulous, and writes more harshly than is just," for, at the most, twelve Fellows of Welsh origin can be traced at the time, and twelve is not a majority amongst forty. Nor is there other evidence of this suggested "subversion" forthcoming. Yet it must be admitted all was not right in the society, as can be seen from Whitgift's Mandates and Injunctions, which from 1583 continued to flow until in 1600 they culminated in the Second Solemn Visitation which "scandals and disagreements" have nerved an Archbishop to make. Sir Daniel Dunn, Dean of the Arches and a former Fellow, acted as the Archbishop's commissary, and, as in Cranmer's Visitation, the result of his investigations was a fresh sheaf of Injunctions. These summarise so conveniently the numerous problems at issue, that a brief analysis must be attempted. Like all Whitgift's Mandates, they breathe the spirit of unblenching firmness which had led him to write in 1597:

"I would have you to understand that I doe not mean to be carried with the opinion of my lawyers but by the meaning of the Founder and the long continued use and custome of your colledge."

In one ordinance the services in chapel are finally regulated. There is to be henceforward a solemn administration of the Holy Communion with a sermon

four times a year. Whitgift had already provided the Prayers of Thanksgiving and Commemoration, which are still used. They were his most beautiful gift, for they have their full measure of the abiding literary quality that inspires the prayers of the Tudor divines.

A group of vigorous clauses urges the stricter observance of the statutes, attendance in chapel, proceeding to degrees, the taking of orders by the artists, attention to "the disputations, declamations, and other scholastic exercises." Hovenden's hand can perhaps be seen in the regulation pressing on the Bursars the special care of the College Records, books and muniments, for he had nobly striven to do his share. The Archbishop then confirms the custom by which "Royal service" may be reckoned a reasonable excuse for non-residence. Various luxurious or "noxious" social habits come in for strong censure. The Injunctions condemn the practice of "giving banquets within or without the College," the use of "the beer which they call double" (perhaps the first reference to All Souls "old ale"), continuous absences from the common meals, the "nourishing of dogs or hawks," and the playing of "dishonest games," using the College horses for private purposes, the keeping of unnecessary servants or allowing them to marry. As to costume, Whitgift's attitude is represented by the sentence :

"My meaning is that they goe schollerlike and not lyke courtiers or laymen as though ashamed of their calling";

and, accordingly, a Fellow who appears "without his square cap and scholastic gown" is to be punished by a week's loss of commons. Apparently there had been

an inclination to dispute the Warden's veto, particularly in elections. By confirming it Whitgift gave the Warden a weapon which was of supreme importance later on.

Save as regards "the corrupt resignations," the disciplinary ordinances do not point to any grave violations of good morals. But the continuance of corruption stirred the Visitor's wrath. He now tries to "mak siccar" by imposing a special oath to bind the electors against any "corrupt contract, promise or bargain" on pain of forfeiting the Fellowship. Yet even here the loopholes became painfully clear. The oath *could* be construed to apply only to the specified period—*i.e.*, from the 30th of October to the 6th of November. Still more simply it might not be administered at all. And ultimately Whitgift was no more successful than Cranmer, and this in spite of the Act of Elizabeth (31, c. 6) forbidding under severe penalties all corruption, and required to be read before every election to a Fellowship! On two points the Archbishop broke new ground. The first is the definite licence to commute the Livery for a money payment. The second touched the problem of how to dispose of the surplus income of the College. By the statutes any such surplus was to form a reserve fund stored in the tower over the gateway. Yet by the Act 18 Elizabeth it had been provided that in future leases one third of the old rent was to be expended "for the Relief of the Commons and Diet," and both Grindal and Whitgift had in consequence allowed or forbade an "augmentation of commons" according to the price of corn. But this only stirred the fringe of the matter. What if the

surplus, with increasing prosperity, became really considerable? Would the Fellows be entitled still further to "augment their commons" by dividing it up annually as a bonus calculated *pro rata* on the commuted Livery? As yet the Visitor would not hear of this, and the problem was bequeathed to the seventeenth century to solve.

Looked at as a whole, Whitgift's Injunctions may not unfairly be regarded as an important appendix to Chichele's statutes. Resting on the claim of the Founder's representative to interpret, they were really a gradual remodelling of the original code to meet new needs and widely different circumstances, and in their subtle and judicious mixture of "amendments" with practically new ordinances, they illustrate how easy is the transition from an uncontested right to declare law to the more dubious prerogative of making law. If Whitgift had done nothing else by his continuous and decisive intervention, he handed on to Bancroft, Laud and Sheldon the visitatorial power to alter, add, and even abrogate, fortified beyond all attack.

Yet the subject-matter of these Injunctions by no means exhausts the topics which came to the front. The existence of certain mysterious *servientes* within the College demands a word of explanation. As they are clearly distinct from the *famuli*, or domestics, and the "*clerici*" (clerks), they can only have been "poor scholars," "servitors" probably of undergraduate status who received education of some kind at All Souls. There is no reference to them in Warden Warner's day, and everything points to Hovenden as the main cause of their introduction. Hovenden, indeed, in 1575 expressly refers to a scheme of Archbishop Parker:

"to convert the choristers' places into scholarships to be elected out of Cant' school." And a building was actually begun, "but being left off by reason of ye plague was ended . . . and touching ye scholarships nothing done nor is like hereafter, the Abp. being long dead."

Once more the effort to dovetail an undergraduate element into the College had failed. The later allotment to the chaplains of the room intended for these scholars from Canterbury hits on the greatest obstacle to any such schemes, viz., the plain lack of space. Yet the *servientes* for a time go on. Repeated Injunctions for diminishing the number of boys and domestics "nourished" by many of the Fellows may allude to their steady increase. And in 1612 a return enumerates them at thirty-one as compared with nineteen *Famuli*. By 1660, however, they have practically disappeared, stifled, most likely, by the impoverishment of the College during the "Great Rebellion." We may here parenthetically note that the connection of All Souls with the grammar schools at Faversham and Berkhamstead was put on a new basis. In the former case the right to nominate the Master, in the latter "to visit" the school was satisfactorily established. In the foundation of a grammar school at Bedenden it had likewise been intended by the benefactor *William Mayney* that All Souls should have similar privileges. But as the statutes were not accepted nor sealed by the College, the scheme came to nothing. Still earlier a judicial interpretation of the Chancellor permanently linked All Souls with the visitation and examination of a much more important school, that of Tonbridge. Sir Andrew Judd, the Founder of the school, was the

"nephew twice removed of Archbishop Chichele," and by his will the Warden and Fellows of *All Saints' College*, Oxford, were empowered to act "as advisers in matters of importance" to the Skinners' Company, to whom the general administration was entrusted. There being no such College, a legal decision pronounced that All Souls was the College obviously meant. Sir A. Judd had really supplied the clue by appointing as the first master *John Proctor*, a Fellow of All Souls who presided over the school from 1553-1559. The general advising powers of the College, however, have "been rarely, if ever," exercised, though the original association with Sir A. Judd's foundation is preserved under the scheme of 1825, by the right annually to nominate the classical examiner.*

The energies of the Fellows, however, were not wholly absorbed in strenuous existence. They were always ready to show their loyalty and hospitality, and both in 1566 and 1592, when Elizabeth visited "her" University, they were conspicuous for their share in the "entertainments." Dr. Aubrey "disputed in St. Mary's before the Queen," and Andrew Kingsmill, of All Souls and Public Orator, delivered an address of eulogistic welcome in the Hall of Christchurch, "whom she thanked and said you would have done well had you had good matter." And when she left

"the walls also of St. Mary's Church, All Souls and University Colleges were hung with innumerable sheets of verses bemoaning the Queen's departure."

Again, in 1592, there was a "disputation" in

* See *A History of Tonbridge School*, by Rev. S. Rivington. Second edition (1899).

St. Mary's, when "the Act was determined by Mr. Thompson of All Souls with a very learned and discreet speech, not being above a quarter of an hower in length."

The College, as the University, was enthusiastic over the "sweet affable and noble carriage" of the virgin Queen, and as in 1566 when she departed

"casting her eyes on the walls of St. Mary's Church, All Souls, University, Magdalen, which were mostly hung with verses and emblematical expressions of Poetry she was often seen to give gracious nods to the scholars."

It was for this Royal visit that Whitgift had specially allowed "the fine of Scotney to be divided in respect of the extraordinary charges for apparel" to which the College would be put.

Wood also in 1583 tells how

"a noble and learned Polonian named Albertus Alaskie (then visiting Oxford) went to All Souls' Coll. to dinner (the Warden thereof being Vice-Chancellor) where besides a speech delivered to him at the publick gate he had the view of several copies of verses made by some of that House and curiously painted with colours that were hung up there. After he had refreshed himself several of that House disputed before him in their Common Hall to his great content."

It would have been well had Elizabeth confined herself merely to intervening in the "scholastic disputations" of the College. Hovenden in a letter refers "to our dutifull thanckfullness" to the Queen "in graunting maney her majestie's requests in elections and leasses," though these were not invariably successful.

In 1570, for example, a royal nominee to a Fellowship was rejected, and another in 1581 only was elected by a collusive devolution to the Visitor, who loyally put in the Queen's *protégé*. In such matters the court took its tone from its royal mistress. A good instance is furnished by Leicester's honeyed letter in 1581 on behalf of his friend, Mr. Maddocks, the Junior Proctor who

"renounced his office because he was about to travel into remote parts and supplicated the Convocation that he might have a faculty to preach the word throughout the whole world."

The College granted him "a cause of absens," but refused him "his Livery and Commons," which Leicester had specially requested might be allowed him though non-resident.

At this period it is the College lands which reveal most strikingly the unblushing pressure exercised by Queen and courtiers alike. From 1550 onwards All Souls was involved in a series of costly and prolonged struggles to retain its property, which bore this good fruit at least, that they necessitated a vigilant care in registering and classifying title-deeds and records. Of these struggles Hovenden is the protagonist, and in no sphere of his work is his indomitable, granite-like determination thrown into finer relief.

To begin with, after a sharp fight, he preserved the College right of patronage to the living of Barking which had fallen to it in 1557 by the benefaction of William Pouncett and Sir W. Petre, but which had been claimed for the Crown in 1581. He was next

called on for vigorous action by an attempt of the Cromwell family to incorporate seven hundred acres of the College lands at Whadborough. A dreary suit began in 1555 and dragged on till 1604, passing through every vexatious and expensive phase from an "Inspeximus" of proceedings in the Court of Exchequer, writs and counter writs, demurrers, petitions to the Crown, Bills in Chancery and pleading in the Courts of Queen's and King's Bench, and Common Pleas. Finally, in 1605, a special commission of arbitration decided in favour of All Souls, showing how the persistence of Warden and Fellows could wear down the land hunger of the mighty. A quaint entry in the *Acta* closes the dispute:

"It was agreed to bestow two payre of gloves on divers personnyes who had deserved well of the College in the Whadborough sute."

Had Sir F. Walsingham been living he would certainly have been one. He had done his best to get a fair hearing for All Souls, backing up Hovenden's importunity of "my Lord Treasurer," and even writing direct to the Judges of the Common Pleas "in favour of the College." Apart from his keen interest in the Faversham Grammar School, it was not his only service to All Souls. As it was, the suit, we are told, had cost £2500, and "by its great expence very much reduced the college, compelling them to borrow money and to sell a great part of their plate in order to defray it."

The second great dispute concerned property nearer home, viz., Cardinal Pole's grant of the rectory house and tithes of Stanton Harcourt. By an Act of Parliament in Elizabeth's first year such impropriations were

to be resumed by the Crown, save where granted to colleges or schools. A further complicating element was worked in by the claims of the Bishop of Winchester, who demanded the property for his see. Cecil cut the Gordian knot by making it over, act or no act, to the Queen, with whom Wardens Barber and Hovenden now had to fight. By their importunity they wore the Queen down as they had worn down Lord Cromwell, and in the thirty-second year of her reign Elizabeth acceded to the petition of "your poore subjects," and graciously waived her "claims" in "Stanton Harcourt" in favour of "All Soule College." Warden Hovenden had won again.

A still sharper controversy raged over the Middlesex Woods, which became essentially "*une question de jupons*." In 1581 "by the information and lewd setting on of W. Langherne, fellow and then servant to Sir W. Raleigh," a lease of college lands—the manor of Scotney and the farm of Newlands—in Kent had, in the absence of the Warden, been granted at a nominal rent to Sir Walter's friends. In 1587 the Queen demanded a similar "demise" of the Middlesex Woods to Lady Jane Stafford on the ground that "by our late gracious provision (Act 18 Eliz.) your rents are increased." The College plucked up courage to refuse; whereupon two great dames, Lady Frances Cobham and Mrs. Blanche à Parry, joined Lady Jane in "mustering all their wiles, with blandish'd parlies, feminine assaults, tongue-batteries," and wrote to Whitgift supporting the demand, while Lord Hunsdon "said ditto," closing significantly "I expect you to comply." Hovenden was not frightened. "We maie by no means assent there-

unto," was his decision, seeing "that our woodes are our onlie stock or treasure for whatsoever other extraordinary charges or anie casualty should happen to our Colledge." Whitgift was evidently in a disagreeable dilemma between his duty to All Souls and the pressure of the court. "You have," he wrote, "good regarde some way to satisfy the said ladie, who now much desiring to be tenaunte to your house," took pen and in a letter, as Mr. Fletcher says, "villainously written," tried to bribe "Mr. Doctor Hovenden" by offering "one hundrede pounce to take better consideration of me," and winding up with the remarkably candid signature, "Your frende as far as you frende me." The ladies had the ear of the Queen, who, with Mary Stuart and the Armada on her mind, naturally did not care much about the scruples of an Oxford college, and so Mr. Warden and two Fellows must ride to court to explain their extraordinary conduct. But as yet pleading was of no avail. As Sir Walter Raleigh, "whose noeve was that he was damnable proud," put it, "Hir Majesty greatly disdayned to wryte twyce to subjects of youre qualyte for a matter so reasonable."

The College drew up a formidable protocol of objections against "demising their woods" (which her Majesty "took to be verie frivolous and disliketh the more your slackness therein"), and the Lady Jane replied, at equal length, to the effect that the objections were absurd, "and that they rather seem monkes in a rich abbey than students in a poore college." Whereupon "the poore and leane schollers," not without spirit, retorted that much of her reasoning was "onlie invective agaynst the Warden" and appeared

"to proceede of stomake." Hovenden, however, knew only too well that mere dexterous dialectic would not kill "bedchamber intrigues," and he employed all his powers to keep the Archbishop firm, finding to his joy a powerful ally in Mr. Secretary Walsingham. More correspondence and visits to London followed since "Her Highness" continued to take "your bold deniall in very evill parte." "Her princely pleasure" being for an "absolute answer" the Warden was sincerely advised to "give the ladye occasion to surcease her clamorous complaints." He did, by appealing to "my Lord Treasurer," and thanks mainly to the kindly offices of Walsingham, the Queen was induced to listen, for the first time probably, to the case of the College, in the shape of a petition and "supplication" to "the most gracious Princesse and most roiall Majestie." The final upshot of a further correspondence was that the Lady Jane's request was definitely rejected, and even her cool suggestion, when beaten, that she "might have some consideration for her charges" was brushed aside. It is significant that Walsingham states that "I have been credibly informed by him (Raleigh) that" his lease in Kent "had been sould away for more than one thousand pounds," which explains much of Lady Jane's eagerness to become a tenant of All Souls.

Hovenden and his "poore howse" could, however, congratulate themselves that they had scored another success simply because they had doggedly refused to be cajoled, bribed or browbeaten. Not without reason did Bancroft later congratulate the Warden on his "good husbandry." But it may be doubted whether without the Visitor to act as "honest broker" and the

disinterested pleading of Walsingham, All Souls could have worsted the phalanx of greedy courtiers who fought from behind the hooped skirts of the Queen.

It only remains to note the more prominent of the worthies who distinguished themselves during this singularly bustling and brilliant epoch. The lawyers are well to the front. In *Weston*, Lord Chancellor of Ireland, the College would have probably seen, had he lived, the first of its English Lord Chancellors. But death cut him off when apparently marked out for the post. Robert *Lougher* and John *Griffiths* have already introduced themselves in connection with New Inn Hall and Jesus College. They both added to this distinction the Regius Professorship of Civil Law. Another Regius Professor, William *Aubrey*, was even more notable. The Register describes him as "a man of exquisite erudition, singular prudence and most charming manners," and he was successively Principal of New Inn Hall, Chancellor to Whitgift, a Master in Chancery, and Master of Requests. His legal eminence is evinced by his employment along with his colleague David *Lewes* in the *cause célèbre* of the Bishop of Ross, Mary Stuart's ambassador. The print of his portrait hardly bears out the description of his having "a delicate, quick, lively and piercing black eye, a severe eyebrow and a pale complexion," revealing him rather as a "sad and wise" Doctor of Laws. His contemporaries, John *Watson*, a Doctor of Medicine and Bishop of Winchester (1580-1584), and John *Williams*, Margaret Professor and Bishop of Gloucester, one of the translators of the Authorised Version, deserve brief mention.

John Proctor (1540), the first Master of Tonbridge School, shows by his writings—*The Fall of the late Arrian* (1549), dedicated to the “most virtuous lady Marie,” and *The Waie Home to Christ and Truth leadinge from Anti-Christ and Errour* (1556)—that he was a staunch Catholic, but in his *Historie of Wyatt's Rebellion*, which was used by Holinshed, he enabled the College to furnish the only historian of the reign of Mary Tudor. Later he became reconciled to Elizabeth's régime and received in 1578 the Rectory of St. Andrews, Holborn, and finally died in 1584. Sir Daniel Dunn and Sir W. Bird and Sir Clement Edmonds form a trio of Burgesses for the University, Dunn “being the first Burgess that the University did choose to sit in Parliament.” Bird and Dunn were also Deans of the Arches, whilst Edmonds, “Secretary in the French tongue to Elizabeth,” and “famous as well for military as for politic affairs,” was Remembrancer to the City of London, Clerk of the Council, and a Master of Requests. With them may be ranked Charles Twysden, “one of the Commissioners appointed by the Queen to treat with the Danes at Bremen”; and T. Wilkes, whom the Register says “was twice sent as Envoy to Spain, Germany and France.” Thanks to the researches of Professor Burrows the College has recovered, in the life of Sir Anthony Sherley, the memory of a truly Elizabethan Knight-Errent ready to go anywhere and do anything. In his lifetime a Mirza of Persia, he aspired at launching a new crusade against the Ottoman Power, while he died “a Count of the Holy Roman Empire and Admiral in the Levant Seas.” Nor must we forget Sir John Mason, who entered All Souls as early as 1521, and who, by

remaining a Privy Councillor through four reigns showed, like his friend Warden Warner, that he was essentially a statesman of the Tudor epoch. As Chancellor of the University from 1553-1556, and again from 1560 to 1564, he won a golden reputation, and on his retirement we are told "the academicians took his resignation very sorrowfully." The name of Sir William Petre may fitly close the list. Elected a Fellow in 1523 he became Principal of Peckwater's Inn and a Master of Requests, and was, through four reigns, Secretary of State to Henry VIII., Treasurer to Edward VI., Secretary and Chancellor of the Order of the Garter to Mary, and a Privy Councillor to Elizabeth. Though his most munificent benefactions were reserved for Exeter College, of which he has justly been called the Second Founder, he left to All Souls three exhibitions for poor scholars, and his name is definitely associated with the securing of Barking and Stanton Harcourt, with the building of the Warden's lodgings, and the gift of the ground on which Hovenden made the Warden's garden. The College may well see in him that combination of loyalty to itself with the holding of high office under the Crown which it has always delighted to honour.

The following account of expenses of a journey to London in 1587 is so interesting and characteristic that it may well find a place here. It has already been printed by Mr. C. R. L. Fletcher in *Collectanea*, vol. i. pp. 199-200 (Oxford Hist. Soc.), and the appended transcript has been carefully collated with the original in the College archives.

Endorsement.

Mr. James account for Mr. Warden, Mr. Bird and Mr. James riding to court to answer hir majesties trës about our Wood.

We wente out the 17th Julie 1587 and returned the 27th of the same, in which tyme was disbursed for the Colledge as followeth :

Imprimis for horse bread for Mr. Birds horse and mine the morning before we wente	vid.
Item for oure breakfast before oure going .	7d.
For drinke by the waye	3d.
For oure dinner at Marloe	5s. 2d.
For horse meate there	2s.
Our supper and breakfaste at Colbrook .	7s. 10d.
For horse meate there	6s. 6d.
Given to the Chamberlaine	3d.
For our dinner at Croydon	6s. 8d.
For horse meate there	22d.
For boate hire from Lambeth to Westminster and London	10d.
For bottle ale at London	4d.
For ferriage oure horses first from Lambeth	6d.
For oure supper on Twesdaie night at the Masseys	3s.
For breakfaste on Wednesday for us and the men	2s. 8d.
Mr. Warden's supper that night	12d.
For bottle ale that daie	4d.

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For Mr. Warden's dinner on Thursdaie .	12d.
For bottle ale	2d.
For his supper on Thursdaie	2s.
For a candle and ale	12d.
For Mr. Birdes dinner and myne at Stansted	2s. 4d.
For horse meate there	20d.
Given awaie at Safforn Walden	10d.
For drinke at Eppinge	3d.
Bote hyre from Lambeth	6d.
For drinke at Westminster	1d.
Given to the poare	2d.
For Mr. Birdes supper and myne on Thurs- daie	2s.
To a scrivener for writing the reasons to be included in hir majesties tres	12d.
For Boat hire to Barn Elmes and backe	3s. 6d.
For oure dinner at Lambeth	3s.
For bote hire to London	4d.
Given the porter at Lambeth	12d.
Laide oute by George ut patet per billam	3s. 2d.
Item to him for dinner and supper 2 daies	2s.
To Peter for dinner and supper 3 daies and a night	3s. 6d.
To him for bote hire	4d.
For horse meate at London from Twesdaie till Saturdaie	16s.
Given the ostler	6d.
For horse hire to the courte	2s.
For drinke at Walton	3d.
For horse meate there	12d.
For Mr. Birdes supper and mine at the plough	2s. 6d.

Given to the poare	2d.
For breakfaste on Frydaie and supper that night	5s. 6d.
Saturdaie breakfaste	3s.
For washing at Mtres Massies	14d.
For our dinner on Sondaie	2s.
For oure supper on Sondaie	2s.
For a breakfaste	11d.
Given at Masseys	8d.
Given to the poare	4d.
For Mondaie dinner	3s.
For Mondaie supper	2s.
For our dinner on Twesdaie	2s.
For my supper on Twesdaie	1s.
For my dinner on Wednesdaie	1s.
For boate hyre to Westminster on Wednes- daie and backe to London	7d.
For an horse shew at the court	3d.
For washinge at the Ploughe	6d.
Given there	4d.
For my horse meat at the place 4 daies	4s. 0d.
For the mending of Georg his saddle	9d.
For bread for my horse when I came awaie	3d.
For drinke	2d.
Given the ostler	3d.
My supper and breakfaste at Uxbridge	22d.
My horse meate there	12d.
Given the ostler and chamberlayne	2d.
For my dinner at Stokenchurch	8d.
My horse meate there	4d.
For an horse shoe there	3d.
For drinke at Whatley	1d.

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For my supper after my comming hoame .	5d.
For my horse hyre and eleven daies . .	10s.
For carriage of my thinges from London .	6d.
For Mr. Birdes horse hire 7 daies . . .	7s.

Summa Total .	7l. 6s. 5d.
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More paide the carrier for a horse in that journey left unpaide by Mr. James .	16s. 6d.
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by me

Fran : James

8l. 2s. 11d.

Paide this bill the xxixth of Julie.

CHAPTER V

THE AGE OF LAUD AND SHELDON

Wardens : R. Hovenden, 1571 ; Richard Mocket, 1614 ; Richard Astley, 1618 ; Gilbert Sheldon, 1635.

THE first thirty years of the seventeenth century have not unjustly been called "the Golden Age of All Souls" because of the steady increase in material prosperity dating from the establishment of Elizabeth's firm rule ; and, indeed, the period covered by the phrase may be considerably extended if we look to the number of striking personalities—Hovenden, Sheldon, Jeremy Taylor, Duppa and Steward, Sydenham and Wren, carrying us on to Sancroft and Jeames, Clarke and Codrington—by whom the College was brought into touch with almost every really important development in national thought and action. No hundred years—it is but natural it should be so—have produced such startling *denouements*, or such profound changes in the life of the College as "the century" which began with James I.'s accession, witnessed the great battle between Crown and Parliament, Puritanism and the Established Church, the military Dictatorship of Cromwell and the Restoration, and ended with the Revolution and the Hanoverian succession. In the University throughout All Souls plays a conspicuous

part, in contrast, certainly, to its place in the century which followed. And such evidence as there is allows us fairly to infer that, in accounting for its prominence amongst the colleges, All Souls started well. The assessment of 1592 for Elizabeth's entertainment notes it as fourth in point of income, and this position is confirmed if we add, as cautiously suggested by Professor Burrows, its rank in the Laudian Proctorial cycle (where it comes fourth like Merton and others with three turns), the large number of its Fellows still strictly residential, and the value of the plate which it contributed later to Charles I., only one college supplying more. The new epoch strictly commences with the death of Warden Hovenden in 1614. He was buried in the chapel to the left of the high altar, and his monument by the door of the ante-chapel fitly draws the attention of every incomer to his unrivalled services. Unlike other distinguished Wardens, Hovenden's greatness rests solely on his wonderful identification of himself with the affairs of his College, whose history his life had spelt for forty years. Neither of his immediate successors could in any way claim to be his equal. Richard Mocket, Archbishop Abbot's chaplain, though only Head for four years, has come down to later times branded with the unhappy title of *The Roasted Warden*. He had published a book, *De Politia Ecclesiæ Anglicanæ*, in which his Calvinism possibly had induced him to omit from the Articles all mention of the "authority of the Church." The book was condemned and burnt publicly—hence the title of its author—and the death of poor Mocket, harassed by the insubordination of his colleagues, shortly followed. "*Labor in via, in patria quies, perenni*

memoria," is the pathetic comment of his monument on the troubled years of his Wardenship. The next Head, Richard *Astley*, was also a chaplain of Abbot's. It is curious that while he had gained his Fellowship in 1595, thanks to a recommendation from Walmsley, a judge of the Common Pleas, whose services in the Whadborough suit were thus rewarded, his election in 1618 to the Wardenship was a victory in the cause of collegiate independence, since it involved the rejection of the King's nominee, Dr. Beaumont. Astley proved himself a painstaking, industrious, and generous man (at his funeral Dudley Digges praises his "discreet liberality"), conscientious according to his lights, but "an easy Warden" and by no means fitted to cope with the numerous administrative questions which demanded a strong hand. For Whitgift's Injunctions had created as many problems as they had solved, and growing prosperity had fostered luxury and social habits which made discipline difficult.

"Our civilians," as Professor Maitland says, "were fast acquiring what we may call the Common Law-Mind;" hence their wresting from Bancroft in 1609 the revocation already mentioned (p. 75), an important step in this transformation. Nor, again, could the question of how to deal with the surplus income of the College be longer postponed. In 1609 Bancroft allowed the balance to be "converted to the amendment of Diet," while expressly forbidding "that you should divide any part among yourselves, it being no other than a fraudulent diverting of the same." Archbishop Abbot, who became Visitor in 1611, provoked much indignation and correspondence by insisting that the surplus should

be stored up in the Tower as the statutes required, or devoted to the purchase of advowsons. Yet he too gives way, and in 1622 allows £240, in 1624 £300, in 1630 £400 to be divided, though in 1627 he had tried to go back to the old order, and still pleaded for the surplus to be used in buying up advowsons or "of books and not spent on vanities which carry nothing with them but distemper and disorder." Laud might require "the stock in the Tower" to be kept up to £1000 and refuse to lay down a fixed rule for the future, but the principle of annual division had really been established by these concessions. It only required Sheldon's definite consent in 1666 finally to ratify so agreeable an innovation on the Founder's ordinance. In calculating the share of each Fellow, the division of the surplus was connected with the commutation of the Livery. Roughly speaking the surplus became the dividend, the commuted Livery the divisor, and in this way a *pro rata* quotient of so many Liveries was obtained whose name at least couples the Fellowship thus distributed with the former annual allotment of the Founder's bounty of cloth. No neater proof of the legislative power exercised by the Visitor in co-operation with the College could be cited than the steps by which this change was accomplished. The new system, too, emphasises the palpable increase in purely material prosperity, for with annual divisions membership in All Souls became something worth having, as may be inferred from Abbot's significant remark in 1621: "It is strange to see what competition there is for Fellowships."

Of the other problems of the moment, the general:



state of discipline most imperatively called for the guidance of a resolute and cool head. Hovenden in his later years apparently found the College increasingly troublesome to keep in hand, as may be seen from a letter from one Henry Aimy to the Warden "requesting him to send back to Queen's College a young gentleman who has fallen into evil company and is harboured in All Souls" by two of the Fellows. And the correspondence of the archbishops is disagreeably full on this and kindred topics. Bancroft, in 1609, writes sharply on the subject, reprimanding also the way in which the Bursars keep their accounts, and "cozen" the College "by their traffic in coals." In 1610 he refers to "the kind of beer which heretofore you have had," and "strictly charges that there be spent in commons no other but either small or middle beer, drink of higher rate being fitter for tippling houses." In 1612 the distinguished civilian, Arthur Duck, draws the attention of the Visitor to the fact that the Warden and Bursars have allotted themselves twenty marks and four marks respectively, instead of the same number of nobles allowed by the statutes, "in pretence that they think it of greater value than the money presently current." The letter drew from the Archbishop a dignified rebuke. It is not pleasant to read in 1610 that certain "refractory Fellows" have shown "great contempt" for the authority of their venerable Warden; while in 1614 Abbot has to insist that the *debita reverentia* of the statutes be paid to the hapless Mocket, to whom *verba ignominiosa* had been used, just as *verba brigosa* had been used to Hovenden. Next year the Visitor lays it down that it is the duty of

“any of the Fellows of whatsoever degree to bee uncovered in the Warden’s presence in any publicke or private place within the precincts of the college.”

In 1616 the Warden is required “to punish such of your Society as do spend their time in taverns and ale-houses, to the scandal of the House,” which may be illustrated by Wood’s statement that “the number of ale-houses was greater than ever before known.” Nor do things improve under Warden Astley. From time to time the Visitor has to reprimand the College for its quarrelsome spirit; its extravagance in “progresses” used “to get acquaintance and see novelties”; its slackness in obeying the statutes and injunctions, particularly in the necessary proceeding to Degrees; its luxury in entertainments, on which the resolution of 1629, “that our College cellar should be enlarged,” throws possibly some light. In 1617 there was a serious dispute about the election of a Proctor, and seven of the Fellows, who had refused to be bound to vote for the College candidate were ordered “to confess their fault in chapel before the Warden and Fellows,” by which harmony was once more restored. Abbot’s triumphant remark in 1628 that he had “quelled the faction which was wont to disquiet your College,” in itself very significant, was singularly premature, for in 1632 we have the famous letter with its allusion to the “great outrage” of the previous year.

“Although matters,” wrote the Visitor, “had formerly been carried with distemper, yet men did never break forth into that intolerable liberty as to tear off the doors and gates which are the fences of the college. . . . Civil

men should never so far forget themselves under pretence of a foolish *Mallard** as to do things barbarously unbecoming."

A single "outrage" does not prove the existence of unrestrained licence, though it may be taken as indicative of something radically wrong in the tone of a section of the College. It is only fair to add that a careful study of the *Punishment Book* for this period is far from confirming an inference of widespread lawlessness. The offences entered are curious rather than serious; for example, we find mentioned "wearing long haire," "tardy coming to prayers," "missing surplesse prayers," "taking a degree without the grace of the House," refusing to pay Battells, absence at "exercises and disputations" or attending disputation "with a hat on," "reading the philosophy lecture covered,"

* This is the first reference to the song of the mallard (which is still sung at the college Gaudies) in which the glories of the bird are associated with All Souls. See the song quoted (p. 210). According to tradition a mallard was found in a drain when the foundations of the college were laid; and both Wood and Hearne allude to the custom by which on Jan. 14 the Fellows singing the song "used to ramble about the College with sticks and poles in quest of it." The evidence points to the custom having grown up to the end of the sixteenth or beginning of the seventeenth century. Prof. Burrows has ingeniously explained the origin of the myth as arising in the discovery of a seal with the impression of a griffin "*Gulielmi Malarci clerici*" in "digging a drain eastwards of the Wardens Lodgings," which was then purposely identified by some college poet with the traditional legend of the discovery of a real mallard. The bird has come to be the accredited emblem of All Souls. Cf. also Baskerville's, Wood's, and Heber's accounts of the ceremony (p. 150 and p. 194), and for full information and discussion of the various points, App. II. to Prof. Burrow's *The Worthies of All Souls*.

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using *verba brigosa* and "contumelious words" to a colleague, declining to give proper precedence to a senior, or "playing att tables." "Noctivagation," i.e., going out of College after dark, and frequenting "ale-houses," is occasionally registered, and there is one reference "to beating the Under-Butler." Certainly the absence of graver violations of good morals is remarkable. The "punishments" allotted range from private reprimands and admonitions in public before the Warden and officers to "loss of commons" for a day or days up to a week. Not unfrequently the offender is ordered to be "confined to the Library" for a specified time, during which he is to execute a prescribed task; if an artist, to copy out so many lines of a classical author; if a Jurist, to translate a portion of one of the recognised authorities, such as *The Institutes* or *The Digest*, "with comments." The diligence of the Warden and officers in maintaining almost a pedantic observance of the statutes and in "punishing" even trifling peccadilloes is very striking. The whole book leaves on the mind the picture of a society, large in numbers and cramped within narrow limits, many of whose members were hardly more than boys, and for whom the absence of educational functions left a good deal of time unoccupied. Hence the defects springing from youth and considerable leisure was such as a vigorous Warden with tact could easily have reduced to a minimum. But neither Mocket nor Astley were of the requisite fibre. With Sheldon's election there is a marked improvement.

As under Whitgift's Visitorship the worst symptom of the situation lay in the steady continuance of the

"corrupt resignations," which is now bound up with a portentous increase in the number of "recommendations" to Fellowships from authority outside. The assertion of the intrinsic right of the royal prerogative to override all legal impediments, which is the special characteristic of the first two Stuart kings, slowly sapped the bases of the whole body politic and fostered the worst form of imitation in all who conceived they had any patronage to exercise. All Souls was undeniably trained by Bancroft to accept interference. Even before he became Archbishop he had, in 1591, urged the claims of one Puroloe of St. Mary's Hall on the suffrages of the electors. As Archbishop he frequently "supports" various suits for leases, even in his first year commending "my Aunt Almond" to favourable notice. He repeatedly "recommends" persons for vacant college offices, his chaplain, Mr. Osborn, for example, to the Bursarship, or a Mr. Lee to be Sub-Warden, since he is a *protégé* of Sir R. Carre, the royal favourite, whom Bancroft prefers to call "a gentleman much esteemed by his majesty." The Warden, if necessary, is "to devolve" the election—a pretty hint to Hovenden, who had withstood Elizabeth to her face. In 1607 he "recommends" one Martin for a Fellowship, and in 1609 Cotton, son of the Bishop of Exeter, at whose non-election he is surprised. In this latter case a remonstrance from the College draws from him an indignant denial that he had intended anything contrary to "their oaths and statutes." The royal missives naturally do not lag behind those of the Visitor. James "recommended" Robert Gentilis, the son of the famous civilian, Alberico Gentilis, and Ban-

croft backed the demand for his election on the ground of his "bringing-up and extraordinary towardness." The case was quite indefensible, for Gentilis was under the statutable age and not altogether satisfactory in other ways. He was only elected by means of a collusive devolution to the Visitor, who promptly "put him in." His career until he resigned in 1612 was distinctly disappointing; his name occurs more than once in the *Punishment Book*, and two years after his election he has to be sent to the Visitor, "being in question for some disorder." He won for himself in Oxford the sobriquet of "King of the Beggars," which is borne out by Bancroft's request in 1610 "that some allowance be made him as a favour, which has been done on previous occasions." The College, though obliged to obey a royal mandamus in the matter of a living, indulged itself by rejecting two Scotchmen patriotically supported by the King, and a letter to Lord Salisbury also brings out that they had passed over another "recommendation, S' Yeo," because he did not "submytt hymself to any examinacion at all." A royal recommendation in 1605 of Charles Cæsar throws a flood of light on the situation. Mr. Raleigh, we learn, "*was willing to resign to him*," and Bancroft advises the College to comply. In other words, the system of resignation with an object is distinctly recognised and has now touched hands with the system of recommendation. Yet, as the practice of "corrupt resignations" could only be successfully extirpated by building up a high standard of morality, can we altogether blame All Souls for carrying on what those in high places sanctioned or plastered over with pitiful

palliations? Four years later Bancroft announces that he intends to disallow resignations, "having *by experience* found" how wrong they are, yet only one week after this courageous utterance, "in consequence of a letter from the Earl of Montgomery," he is ready to wink at just one more exception, the proverbial little one, "provided the Vice-Chancellor nominates," as if that made any difference.

Archbishop Abbot took a distinctly higher line. True on two occasions, in 1611 and 1614, he made recommendations (by the first of which "Mr. Dupper," better known as Brian Duppa, became a Fellow), but we have his own word in 1626 that "he had given way to no importunity," though "much pressed to write and to recommend," and he certainly loses no opportunity of sharply criticising everything he thought amiss, from the keeping of the College accounts to the Fellows' Latin, which he found "harsh, abrupt, and of an affected brevity rather than a Ciceronian oratory, a fault not only of the College but of the whole University." From the first he set his face against resignations, requiring Hovenden "to look into them carefully" and refuse all where corruption might be suspected; and in 1628, in order to stamp out the hateful system, he insisted on imposing "on all electors a corporal oath to make the elections freely without any reward, gift, or thing given or taken for the same." But Warden Astley either would not or could not enforce it; and "it came to be," in Sancroft's words later, "neglected and forgotten, or rather I fear suppress and degraded into the weak attempt of an over-busy Warden;" and so speedily went the way

of Whitgift's Injunctions. As Carlyle once said, "the difficulty is not to make constitutions, but to get men to live under them."

Abbot's self-denying ordinance, needless to say, did not stop the flow of royal interferences. In 1620 the Visitor is obliged to back a royal nominee rejoicing in the name of Timoleon Gorges, who only succeeded the next year by the now familiar device of a collusive devolution. The climax had really been reached in 1618, when James, by a mandate of the customary *non obstante* kind, tried to hoist Dr. Beaumont, "though he be a married man," into the Warden's chair. This was a little too much, and even "conscienceless" corporations will turn. The Fellows had no difficulty in remembering they were "bound by oath not to elect for fear, entreaty, or reward" and, in spite of two royal letters, chose Astley, while Abbot proved his probity and courage by confirming their choice. It is not surprising, however, that the College found it necessary to "explain" its "disloyal" conduct, and make its peace with its offended Sovereign. In 1633 Laud, whose Presidency of St. John's had made him thoroughly acquainted with University affairs, succeeded Abbot and set to work with characteristic thoroughness to amend the ways of All Souls. The clothing of the Fellows seems to have annoyed him more than even slackness in management, want of thrift, or the neglect of the scholastic exercises. He requires

"all the Fellows, but especially the officers, that they use not long, indecent hair, nor wear large falling bands, nor

boots under their gowns, nor any other like unstatutable novelty."

His next intervention was more questionable, not to apply a harsher expression. In 1635, Mr. Osborne having "offered his resignation" to the Visitor, he "is resolved to pitch on Mr. Jeremy Taylor," and accordingly nominates him. Now Taylor was a Cambridge man, a former Fellow of Caius College, only incorporated ten days before into the University of Oxford. Laud was not merely sanctioning a custom condemned by his predecessor, but violating every qualification laid down in the statutes. The election was vetoed by the Warden, which then devolved to the Visitor, who promptly completed "his barefaced job" by appointing his own nominee. "I do find," Laud had written earlier, "that some things are very much out of order." The sentence neatly condemns himself; since All Souls had gained the honour of one of its most distinguished names, Jeremy Taylor, "that illustrious prelate and eminent Divine" as the *Acta* call him a century later, at the expense of the reputation of another equally "illustrious" prelate. Once more can we be surprised that the resignation system flourished like the green bay tree?

Taylor's election brings on the scene the best known of the notable Wardens of All Souls, Gilbert Sheldon, for it was he who had daringly reproved Laud by interposing his veto. Sheldon's public career is too well known to need recapitulation here. Elected a Fellow in 1624, he had stepped into Astley's place in 1635, and his Wardenship, until stopped by the outbreak of "the troubles," was one of such successful administra-

tive reform that it confirms Wenman's penetrating remark in the famous society at Great Tew that "he was born and bred to be Archbishop of Canterbury." Under his zealous care complaints from the Visitor as to lack of discipline almost entirely cease, and if we are tempted to ascribe this to Laud's increasing absorption in public business, the steadily dwindling entries in the *Punishment Book* bear unmistakable witness to the bracing effects of his leadership.

The improvement may also be seen in the various schemes for amending parts of the College. As early as 1611 part of the surplus had been spent on transforming "the cloister green" into a "garden with arbours." In 1618

"The new parlour in ye Lodgings was made into one roome and furnish'd, which formerly was three homely roomes, a kitchen, a larder, and a room for Poultry."

There are several suggestions for "restoring" the chapel. In 1619 "a Murrey velvet carpet" is provided for the Communion Table, and in 1629 we read the record that

"This year were our Responsaries, used on solemn Dayes in our Quire and our Commemoration for our Benefactors, first fram'd and placed in our 3 Communion Books."

And in 1629 comes a change very significant of the spirit moving in the University, when "The Communion Table in ye Chaple was advanc'd from ye middle of ye Chancell to ye upper end above ye ascending steps."

Furthermore in 1633 it was agreed that

"The Auntient Fellowes should be spoken unto for their benevolence towards providing of organs and a quire for ye chappell."

There still exists "a Book containing names of persons who have contributed to the beautifying of the chapel" with entries for the year 1635, and further receipts signed by Sheldon for 1638, in which year the Warden and officers are authorised "to draw articles concerning reparation of our chapell." Silence then intervenes, and it may be doubted whether much was done. Going back to 1619 we find £100 was spent on the "Founder's Tombe" at Canterbury, while in 1622 "xxs. are to be yearly allowed to the keeper for his daily care in sweeping and preserving the same." And in 1633 there is information that

"This Yeare our College Gates were repaired and lyned faceway towards the streete . . . and also the three statues over the Gates of our Saviour, King Henry the Sixt and our Founder were polished, smothed and renewed with vernishe and guilt."

Nor was the Library forgotten, for in 1637 an entry runs that "because the books heretofore in our Colledge Librarie have suffered much harme and losse, one of our Fellowes should bee yearly chosen as keeper and bee allowed for his paines thirty shillings by the yeare."

But I can find no trace as far as All Souls is concerned of a scheme mentioned by Baskerville (Rawl. MSS., 810, D.), to wit, that

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"Archbishop Laud had a design *to span* the great squares, that is to take away the houses between them (All Souls and Brasenose) as far as the Schools as you may find in that Bishop's Diary."*

The records also permit some quaint glimpses into minor matters. Early in the century "the plague" was a serious trouble. From 1603-1615 "leaves of absence in plague tyme" are unpleasantly frequent. To give one example in 1609, four Fellows are allowed "five-shillings weeklie," as well as "their phisick at ye Colledge charges, provided that they should continue in ye Colledge and look to the safetie thereof."

And by a curious clause in the lease of "their" house at Stanton Harcourt the tenant was to "find" in plague time "four chambers furnished with bedding, linen and woollen" for the Fellows who chose to repair thither. In 1626 it was agreed to give £3 "towards ye maintenance of an Arabick Lecture." Entries about food naturally crop up now and then. We may notice this in 1618:

"Whereas our Gaudyles on All Souls Day to the Side Table were but five dishes to every messe; viz., Pigge, Goose, Capon, Rabet, and Bustard, this yeare our Bursars did very willingly condescend that their third messe should be for the augmentation of Gaudyes throughout the Hall."

And a paper now in the archives written by the

* Baskerville has apparently misread the entry in Laud's diary, which runs: "To *open* the Great Square at Oxford between St. Marye's and the Schools, Brasen-nose and All Souls."—Ed. Wharton (1694), p. 69.

butler, John Hollingsworth, in 1640 gives an account of "the customs" of the College on the different Feast Days.

He mentions the chief days on which there was extra food—Michaelmas Day, "All Soules Day," All Saints' Day, Christmas Day, "New Yeares Day," St. Stephens, St. John's, Inocents (*sic*) Day, Candlemas Day, Shrove Sunday, Lady Day, Easter Sunday, Monday and Tuesday, Ascension Day, Whit Sunday, Whit Tuesday, and St. John's, St. Peter's, and St. "Jeames" Days. The servants' "messes" each had a "pye and custards" on Gaudies, but on the night of Shrove Tuesday the chief servant had "hens and caudles." On the four great Gaudies in the year—All Souls, Christmas, Easter and Whitsuntide—there was a special allowance of drink, the three "clerkes" having a quart of sack between them, and the six choristers two quarts of claret. "On All Soules Day [it was] never certaine what, but altered by Mr. Warden according as corne was deare or cheape. All decrements in salt, mustard, vinegar, vergis and pepper and spice for the pot did formerly belong to the House without putting on for any of them." The ordinary standing dishes were "Plumb broth," capons, "rabetts," pig, roast beef, mutton, hens, stewed Jacks, pigeons, bacon and calves' feet, "2 to a mess"; and the butler remarks that "whenever the Servts had roast Beefe the whole was iiis., but what any Man's portion was I did never enquire, but it was always left to the cooke, only this I doe remember when I was at the Lodging we had *vid.* for the Warden's share and the rest went altogether among the servants."

It is noticeable that whilst capons are frequently

mentioned, Bustard, the other standing dish immortalised in the *Mallard Song* (p. 211), does not appear. There was already a falling off from the golden years of fatness of 1618.

The College Benefactions, of which we now begin to have a fairly continuous schedule, are not uninteresting. Besides frequent charities to the poor of the city, "payres of gloves" to deserving persons and gifts of trees to good tenants are the commonest forms. In 1631 there is a contribution to "the House of Correction newly erected in Oxford," in 1634 one "to a Pillory at Edgeware." The daughter of Dr. Fuller gets "fower pounds" to print her father's books, and various foreigners are assisted, such as "an Italian convert, Battista Reni," "a ffrench abbat," "the Bohemian Ministers," and "an Armenian priest." But harder times were at hand. Prices had been steadily rising since 1630, and, in consequence, the Gaudies have to be cut down. In 1636, "the comons for every Monday during the publique fast" are ordered to go "to the poore of the city." More ominous still, there were signs of political unrest abroad. A petition from the Padbury tenants to Warden Sheldon, pleading for the favour of the College, tells its own tale. They are charged with being "rebels to the King," whereas "they have always conformed to the established religion and the laws." The significant diminution, almost break, in the records, after 1638 warns us that the deluge is at hand. If Sheldon and Laud had eased the College of most of its internal "troubles," the external, which were to be far worse, though not beyond their power to "cause" were beyond their power to "cure."

The Register does not lack during this period the names of distinguished men, but the chief characteristic of their distinction is that it was won in other spheres than the life of All Souls. Sir Charles *Cæsar* and Sir Arthur *Duck* efficiently continued the traditions of the Tudor lawyers. *Cæsar*, the third son of Sir Julius *Cæsar*, Master of the Rolls, had gained his Fellowship "by royal recommendation" in 1605. He sat in the Parliament of 1614, and after being a judge of the Court of Audience, became a member of the High Commission in 1633. In 1638 he purchased the Mastership of the Rolls for the enormous sum of £15,000, but only enjoyed it until 1642, when death saved him from "the breaking out of the troubles." *Duck* figures in the front rank of the seventeenth century civilians, for "his reputation was as great on the continent as in these islands." "His treatise *De usu ac Autoritate Juris Civilis*, has never ceased," we are told on the best evidence, "to maintain its deserved authority." Elected a Fellow in 1604, *Duck* also became in 1633 a prominent member of the Ecclesiastical Commission, and later in 1645 a Master in Chancery. But apart from his public career his generous benefaction to the fund "for beautifying the chapel," his sedulous devotion to college business and promotion of every reform, if not his valuable biography of Archbishop Chichele, have more than earned for him a niche in the roll of "All Souls worthies." In *Dudley Digges*, *Brian Duppa* (Bishop of Chichester and Salisbury), *Robert Steward* (Provost of Eton and Dean of St. Paul's), *Henry Coventry*, afterwards Secretary of State under Charles II., and *Jeremy*

Taylor, the greatest perhaps of seventeenth century divines, we have a quintet of which any college might be proud, and stout Royalists to a man. Digges was to prove his uncompromising devotion by his popular work, *The Unlawfulness of Subjects taking up Arms against their Sovereign in what case soever*, and by his death in camp in 1643. Steward (whose portrait with its ribbon and medallion showed that he had been "touched for the King's evil"), as well as Duppa and their Warden Sheldon, were royal chaplains whose names are imperishably linked with the closing years of their unhappy king. College records are generally annoyingly silent on just the points about which posterity desires information, and in their cases, as with Jeremy Taylor, we are simply left to infer their influence in the vastly improved tone of All Souls since they entered it. It is remarkable that Taylor and Duppa should both have owed their Fellowships to the system of "resignations" and recommendations, and that of Duppa we have only the curious note that in 1617 "he made a journey into Spain," and that "he was put out of commons" because he refused to vote for the College nominee to the Proctorship! Sheldon's Wardenship, however, had achieved one great result—it had "Laudianised" All Souls. What this meant the next ten years was to teach.

CHAPTER VI

THE CIVIL WAR AND COMMONWEALTH

Wardens : Gilbert Sheldon, 1635 [John Palmer,
"Pseudo-custos," 1648].

FOUR years of suspense followed the last important record of the year 1638, and then in 1642 All Souls changed its cloistered calm for the call of trumpet and the roll of drum. On August 18 Oxford had begun to drill, and four days later the King set up his standard at Nottingham. The Civil War had commenced. The share of the College in the story can be briefly traced in a series of dry and troubled entries in its books. The first occurs on July 11, when

"It was agreed that upon ye Letter of his Maj^{ty} the Colledge should send all their ready money in their Treasury, viz., £351 7s. 3d., and that they should also borrow as much as is owing to the said Treasury upon ye Colledge Bond, which is £300, in all £651 7s. 3d."

The letter referred to was one dated July 7, and signified that any "loans" would be very "acceptable" and repaid at 8 per cent. interest. The receipt of Dr. R. Chaworth on behalf of the King is now in the archives, but as it is for £654 14s. 3d. the College must have screwed out a pound or two more. One of the

Fellows, Mr. Jänson, went with this handsome testimony to their loyalty. "He was afterwards made a Baronet," says Wood, "but a poor one, God wot."

All Souls next provides three members (of whom Dudley Digges was one) to the delegacy created by the University to look after the defence of the city. In September however Oxford fell into the hands of Lord Say, who was severely blamed for not seizing the plate of the Colleges. Wood relates that on the twentieth of that month "as the Lunden troopers came alonge down the High Streete, one discharged at the image of our Saviour over the gate" of All Souls, no doubt peculiarly offensive to him from its recent adornment of "vernische and guilt," but happily did no damage. Most of the sculptured work in the College was saved at the time by the effort, according to the same writer, of Nixon, a leading Puritan in the city. *O si sic omnes!*

The Parliamentarians had soon to abandon Oxford, which, with Charles' entry on October 29, now became the royalist headquarters. The King did not hesitate to demand what Say had spared. On January 6, 1643, a royal missive to All Souls, relying on "their readiness and affection to our service," asked for "the loan" of their plate. In reply the entry in the *Acta* of January 12 runs:

"Agreed that upon the letter received from ye King's Ma^{tie} the Colledge should send their plate for his Ma^{ties} use."

A receipt of Thomas Bushell and William Parkhurst dated January 19, proves that 170lb. 8oz. 19dwt. of "white plate," and 82lb. 5oz. of gilt plate, in all

253lb. 1oz. 19dwt. had been promptly handed over. According to the usually accepted figures, All Souls ranks second in the amount contributed. Charles had promised to repay at "the rate of 5s. the ounce for white and 5s. 6d. for guilt plate, as soon as God shall enable us," which would make the value of the plate contributed roughly £784, to which if the £654 already mentioned be added, it will be seen the College assisted the king by some £1450, perhaps worth £14,000 of our money to-day. The entire absence from the present plate of pre-Restoration articles (save the two communion cruets which were spared, the Founders' "salt cellar" bequeathed in the eighteenth century, the silver "rodd" and two "mazers," relics of the "monuments of superstition") shows what a clean sweep royalist sympathy made of the College treasury. From two carefully scheduled inventories of 1588 and 1592 with their late additions we can peruse the goodly array of articles that went into the King's mint. We read "of one great bason double gilt, another great bason, a middle bason, one less bason parcel gilt, one great boale, cups of playne silver, and double gilt, fair goblets, a great boale with a cover branch'd and a thistle in the top, Warden Keyes cupp double guilt with a cover which hath a piece of S. Michael on it, ewers, and silver potts and flagons double gilt." Altogether some fifty "Potts," twenty-one Tankards, six "Boales," "Basons," Salts and innumerable forks and spoons were given up. Neither Charles nor his successors were ever "enabled" to pay back their "loan," or remember the word plighted "on the honour of a king," and it is pathetic to note that as late as Blackstone's Bursarship a credulous Bursar might

still in his balance-sheet rank the *obligacōnes Regiæ* among the *Bille Sepositæ* or "those Debts ye Recovery of which has long been despair'd of."

The drain on the College resources was already becoming serious. As early as April 10, 1643, the Bursars are authorised "to call in and sue for all debts due." Yet on June 1 it is agreed

"to undertake ye charge of maintayninge 120 souldiours for the space of four months att the rate of 4*s.* the week to each souldiour."

Parliament had meanwhile issued a "no-rent" manifesto, and its effects can be traced in an entry of January 9, 1644. The College is to borrow (from whom?) £600, the tenants being "behind with their rents." Charles had however found time to "recommend," in the previous November, one Thomas Standard "in the place of Mr. St. Johns slain in our service," whom the Register describes "as having fallen gloriously at Cirencester while fighting *contra κυκλοκέφαλας*," hatred for the "Roundheads" apparently driving the scribe into the one example of Greek that the book contains. The College, for reasons now unknown, failed to elect his Majesty's nomination, in spite of his appropriately warlike name.

On April 18, 1644, "by reason wee could neither receive money from our tenants nor borrow," the College is driven to make all its members and servants "co-ex-co," *i.e.*, entitled to leave of absence and to receive commons, and this by periodic extensions is prolonged to March 25, 1646. A further entry is an undertaking to "pay 25*s.* a week for five weeks towards the Bulwarks," in spite of

the continued loss of rents. A letter of 1664 shows that the tenants were suffering too. Humphrey Elmes wrote later "that it is a harder tuggle now for me with this knave than when I was sequestered for my fidelity to my Sovereigne." Not many had the will or the power that Dr. Steed showed in 1650, who has

"an easy fine by reason of his extraordinary respect to the College these troublous times in paying all his rents fully and some rents twice, both to the Parliament and also to the College."

Matters were fast reaching a crisis. On May 26, 1645, it was agreed "to contribute £15 towards necessities for ye defence against this present siege," but though "the siege was sudainly raised ye lords demanded ye summe, we know not for what use, and it was delivered unto them."

Four months later the College is driven to consent

"that there should be but one meal a day between this and next Christmas, and longer if there shall be occasion." While the Bursars are to give to the poor "to the amount of 5^s at a time."

The end of the first act in the academic drama had really been reached with the surrender of the city on June 24, 1646. Sheldon and three of the Fellows represented All Souls in the delegacy of the University to resist the now certain demands of the Parliament. But the Warden's really important work is foreshadowed in the leave of absence for ten months granted him by the College on November 21. As regards All Souls the second act begins with the telling entry of Nov. 5:

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"As the College was now prohibited by an order from y^e house of Commons from all election, and also for that no one appeared as a candidat," no election is made.

And a similar entry at the same date next year prepares us for the bursting of the impending storm. But as the College records here practically desert us reference to more general authorities is necessary to explain the course of events.

It is a matter of history that the victorious Parliament at first determined to use conciliatory methods. Seven divines were sent down to preach the University into submission. But All Souls, like most Colleges, was deaf to their exhortations, charmed they never so wisely. Its heart was where its plate and treasure had gone—with the King. On May 1 a solemn visitation was ordered by Parliament, and twenty-four Commissioners under the presidency of Sir N. Brent were appointed to carry it out. The Register of their proceedings (especially valuable as regards All Souls, since it has been edited by Prof. Burrows) commences with September 30, when the Heads of the various Colleges were summoned to send in their statutes, books, and accounts. On March 17, it being clear that Toryism in Oxford would yield to no argument but force, the might of the big battalions was added to stiffen the demands of the visitors. From the copious entries in the Register the fate of All Souls can be succinctly traced. The laborious attention bestowed on it by the Puritan Visitation is no small tribute to its importance, assisted undeniably by the prominence of its distinguished and ultra-Royalist Warden.

Sheldon with characteristic courage had returned to his post from Carisbrooke to guide his Society, and on him the first of the "root and branch methods" naturally fell. On April 12 an order was made out "for his commitment for his contemptuous refusal to submit to the authority" of the Visitors, or as expressed in the Report read in the House of Lords, "for his contemptuous carriage." His expulsion followed on April 13 in a dramatic scene, described by Wood, at which the enemy of Laud and all "Laudianites," Mr. Prynne, must have had especial pleasure in assisting.

"In the afternoon," writes Wood, "they (*i.e.*, the Chancellor and Visitors) go to All Souls' College and, finding none of the Fellows in the Hall there, were much troubled. At length they send for Dr. Sheldon the Warden (then walking in his garden), who . . . did with great moderation of mind ask them by what authority they summoned him? Upon which the authority was shown and read. Dr. Sheldon told them that it concerned not him at all, for it was dated March the 8th . . . also that he was not so much as there questioned nor voted out of his place till March 30th. This puzzled the Chancellor and Visitors very much, nor was there any answer for the present given. At length the Chancellor asks Mr. Prynne, who stood by him, what he could say to the matter; Mr. Prynne answers nothing; whereupon the Doctor leaves them and goes into his garden again, into which he could enter without going through his lodgings. They consult almost an hour and Mr. Prynne confessed that they had no power by their commission, but the Parliament must not be baffled. . . . Well—to it again they go, send for the buttery book, dash out Dr. Sheldon's name and enter that of Dr. Palmer in its

place. Which done they send to Dr. Sheldon to deliver up the key of his lodgings; he refuses; they break them open and give Dr. Palmer possession . . . for Dr. Sheldon's commitment to prison for refusing to submit to the authority of the Visitors, or, as they worded it, for his contempt. The Doctor read it, and finding therein base and aggravative language, desired the Chancellor to read it. . . . The Chancellor said 'They were hard words;' and when 'twas told him that the lawyers drew it, the Chancellor answered, 'Whosoever drew it, it had very hard language in it.' In the carriage and debate of the business the Chancellor asked the Doctor pardon, three or four times, and told him openly that 'what he had done in breaking open doors, he knew not, let the lawyers look to that.' Dr. Sheldon was sent forthwith to James Chesterman's house against the Cross Inn, with a guard of Musqueteers followed by a great company of scholars, and blessed by the people as he passed the streets, and there was kept in safe custody till further pleasure."

In this picturesque manner Sheldon's Wardenship was compulsorily brought to an end. He was shortly "released of his confinement," and retired "to his friends," where we must leave him until the Restoration.

His successor, John Palmer, alias Vaulx, is known as the "Pseudo-Custos" from the entry in the College Books:

"Pulso per vim Doctor Sheldon J. Palmer a Parlamento Pseudo-Custos Constituitur."

He was a member of Queen's College and is the only Warden whose tenure was never confirmed by the election of the Fellows or ratified by the Archbishop,

and, as Dr. Gutch adds, "Being thus invested with the Wardenship he neither took the statutable oath enjoined on his admission, nor any other for the due execution of it." Wood has described him "as the son of an apothecary at Taunton and a great Rumper, and one of the recruiters of the Long Parliament and a great favourite of Oliver," whose friendship may be seen in his visit with Fairfax to Oxford in 1649 when "the General lay in the Warden's Lodgings." The "dignitaries" came to "wait upon him," and as Wood says,

"after reception one of the new Fellows spake a speech which though bad was good enough for soldiers."

Though Palmer owed his Doctorship in Medicine to a forced vote he was a man of considerable distinction (he represented Taunton in the "Rump Parliament") and firmness of character. He must also have had scholarly tastes. Neale speaks of him as "learned," and on his death Wood thought it worth while to buy "from his study of bookes severall things."

As Warden he played an extraordinarily difficult and disagreeable part with no little tact. Sheldon, for example, owed to his inspiration that "an order for seizing" certain houses belonging to the College which the ex-Warden had "taken" was "reversed and discharged."

With a Warden of the "right stamp" to help them the Visitors set to work to "purge" All Souls, "with a violence," says Dr. Wenman, "exceeding that of the most arbitrary monarchs." On April 15 the use of the Common Prayer Book was inhibited, and on May 4 the Fellows were summoned "to submit to the authority"

of the Visitation. Their replies to the plain question "Will you?" were an ingenious derangement of evasions and simply ring circuitous changes on the answer of Dr. Aylworth, who

"cannot upon the sudden give soe certaine an answer as happily may be expected."

The Visitors, however, made short shrift with these tactics, and all who refused to accept unconditionally were "removed from their places." Even five of the College servants whose answers were voted "saucy" were promptly cleared out. Hollingsworth the butler was so notorious a Royalist that he was expelled without inquiry. His devotion won him on his death in 1671 a grave in the cloisters with an inscription recording his "fidelity beyond the generality of servants."

The process of reorganisation, *i.e.*, of "intruding" new Fellows into the vacant places, could now begin, and this process with the drawing up of regulations for the government of the Society spread, in its most drastic form, over nearly five years. From the statistics in the Register it would appear that seven escaped notice, thirteen refused to submit, five (including Aylworth) finally subscribed to the "engagement," and forty-three in all were intruded during this period. These latter, though containing several distinguished names, are all quietly lumped together in the Register under the formula—

Auctoritate Parliamenti alii expulsi admissi sunt sequentes.

The Register of the Visitors not only supplies a clear clue as to the policy pursued, but brings out in an

interesting way the stubbornness of the old leaven which in time affected even some of the "intruded." From the first the Commission had to appoint the College officers. On March 29, 1649, they order "Siddenham" to be Bursar, and Colonel Sanchy to be Sub-Warden. The College Register says unkindly of the latter "that he was a man, rude, ignorant, and without a tincture of humane letters," and Wood has called him "a boisterous fellow at cudgeling and foot-ball playing." He was also made Proctor "against the Caroline Cycles, Queen's College not being in a capacity of yielding a person zealous and suitable to these times." He was afterwards Commander-in-Chief of the Parliamentary forces in Tipperary and a Burgess for Woodstock. Next year again five officers have to be nominated, the College not being yet fit for autonomy. In the June of 1650 it is discovered that "Mr. Coventrie, a delinquent," still retained his fellowship though absent, and inquiries are made. The College reply is almost amusing—

"As to his leave of absence they can give no accompt thereof, in regard the Colledg booke cannot be found."

Mr. Coventrie's name is summarily erased. A petition follows from several of the new Fellows "complayning that they are deprived of the priviledges and profites due to them," perhaps because no "booke" could be found for their entry. Affairs were evidently in a lively state. Wood writes of Joshua Sprigge, in 1649 made a Fellow and in 1650 Senior Bursar, that

"while he continued in All Souls he was of civil conversation but far gone in enthusiasm and blamed much by some

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of the Fellows then there for his zeal of having the history of our Saviour's ascension curiously carved from stone over that College Gate to be defaced, after it had remained there from the foundation of that House."

This last is very doubtful, as the *Typus Collegii* does not show it *in situ*. Hearne alludes to it differently. "Mr. Sherwin the Beadle tells me that the Resurrection figure was shot down by ye rebels on Midsummer Day 1648" (iv. 157).

In 1651, once more "a ryding Bursar" is with other officers nominated "for the better carrying on of affaires." The Sub-Warden is also "admonished, there being a great neglect of repairing unto, and attending the worship of God in the Chapel of All Souls." From April 1652 to June 1653 there is a break in the Register, but with the New Commission comes an improvement, for in November 1653 a halfway house between pure nomination and absolutely free election is set up. Candidates may be elected provided they have testimonials certifying that they are "truly godly, studious and of good proficiency in learning." The College Register accordingly marks the advance by entering such elections under the formula "*per Electionem Collegii admissi sunt sequentes*." But difficulties soon arise. In 1653 one Lawrence Smith has to be summoned to "explain" his conduct; in 1655 a bond in the archives shows an expensive controversy had been going on between the College and the "ejected Fellows"; in 1657 Bursars have to be "intruded," "none having been appointed," and the climax is reached with the issue of a searching ordinance to

prevent "corrupt elections." On November 10 the College is inhibited from electing, "for disregard of the orders received," and the elections made are quashed; an appeal goes up in February 1658 to "the Lord Richard Cromwell, Chancellor of the University"—and then the Register abruptly stops. The Visitation had collapsed, if not "formally dissolved."

The disciplinary ordinances which kept pace with these kaleidoscopic changes are equally instructive. In the frequent insistence on "godly behaviour," regular attendance at "religious exercises in Chapel and in particular the prayers morning and evening in them," avoidance of "all Excesse and Vanitie," and the prohibition "to goe forth upon any fasting night to supper in any taverne, ale-house or victualling house," can be traced the specifically Puritan element. But in the regulations prescribing "Greek and Latin to be strictly and constantly" used "in familiar discourse," the faithful performance of all scholastic exercises, attendance at lectures, and devotion to study, as well as the lynx-eyed efforts to check all abuses—(Mr. "Germy," for example, is "put out" because "hee is so ingeniose that he will not deny" that he is married)—we read more than an effort to impose a cast-iron code of Puritan morals, a sincere desire to make All Souls as other colleges a really fruitful nursery of learning. The Visitors would have even gone further had their hands been free. Their wish to introduce amongst other changes terminable Fellowships reaches back to the "reforms" of the Puritan Delegacy of 1549, and forward to the University Commission of 1877.

But the best proof of their zeal for efficiency must be

found in the men introduced into the colleges during these ten years of revolution. Two of the greatest names of which All Souls can boast meet us at the very threshold—*Sydenham* and *Wren*. *Sydenham's* was altogether a unique career. He seems to have followed the profession of arms after having been a commoner at Magdalen Hall. "Thrust into" a Fellowship at All Souls in 1648, he devoted seven years to medical studies varied by occasional military excursions. In 1655 he resigned, and, equipped with the knowledge acquired as a Fellow, started practice in London, where his method of studying diseases inaugurated the epoch in medical science to which he owes his European fame. All Souls may well congratulate itself that through him it is associated with the new era in medicine in the seventeenth century just as it had been through Linacre associated with a similar movement in the sixteenth. Yet *Sydenham* curiously enough never became a member of the Royal Society, in creating which several of his College contemporaries played so interesting a part.

Christopher Wren was the first fruits of the return to semi-elective independence granted in 1653. It seems clear that he owed his election to the exercise of the Warden's veto, not the least surely of Dr. Palmer's services to All Souls. He resigned in 1661, to become Professor of Astronomy, having retained his fellowship quite long enough to awe all who knew him by his "miraculous" genius. There is no need here to recapitulate the sum of his achievements, for Wren has enshrined his fame in monuments of his own more eloquent than any words could be. The memory of

the intellectual stimulus inspired by his sojourn within the walls of the College now lies in musty records, but his co-operation with Warden Sheldon in the Sheldonian Theatre, his magnificent dial erected in 1653 (at a cost of £32 11s. 6d.), "showing by its rays and half rays" the time to a minute, originally on the chapel wall pointing to the gateway, now crowning the south face of the Codrington Library, perpetuate his name. Still later by his bequest of his original drawings for St. Paul's and other buildings, now one of the "treasures for ever" in the same Library, Wren showed that he had not forgotten he was an *alumnus* who had a debt to pay. *Pereunt et imputantur*—"they die and are accounted," as the words of the motto on his dial might be loosely paraphrased. They also fitly express the spirit with which the College of to-day, by choosing him to adorn one of the new windows in the present Hall to "The Worthies of All Souls," has not on its side forgotten the duty of an *alma mater*. Sydenham and Wren together are the flower of the great movement in science in which some of their College contemporaries played a humbler part. Wood tells us—

"In this year (1655) Arth. Tillyard, apothecary and great royallist, sold coffey publicly in his house against All Souls Coll. He was encouraged to do so by some . . . of which the chiefest number were of All Souls, as Peter Pett, Thom. Millington, Tim. Baldwin, Christoph. Wren, George Castle, Will. Bull."

And to these coffee-house meetings of "the virtuosi and wits" a share in the idea of the Royal Society has been awarded. Of those mentioned, Millington and Pett

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were afterwards (excluding Wren) the most distinguished. *Pett*, a Commissioner of the Navy under the Commonwealth, was one of the original Fellows of the Royal Society, Advocate-General to Charles II., and figures constantly in the diaries of Evelyn and Pepys. *Millington*, like Pett by education a Cambridge man, was for some time Sedleian Professor of Natural Philosophy and then President of the Royal College of Physicians. Though a diligent worker, what used to be reckoned his great achievement, the discovery of "sexuality in plants," has been more than questioned by modern research. Another notable name, though of an earlier date, belongs by his studies to this group. Sir Richard *Napier*, elected in 1628, had been taught astrology and medicine by his uncle, who bore the same name. He finally took his M.D. in 1642, and in 1664 became Hon. Fellow of the College of Physicians, and to him the Library owes thirteen volumes of the Greek Commentators on Aristotle. Wood, probably wrongly, calls him "one of the first members of the Royal Society," and adds, "he was a great pretender to virtue and astrology and made a great noise in the world." But he deserves to make a great noise still from the singular event related by Aubrey in his *Lives* (Ed. Clark ii. 92).

"He is buried at Lindford," notes Aubrey, "but died at Besils-leigh, but before he came thither he lay at an inne at . . . where when the Chamberlain brought him up to his chamber and the Dr. look't on the bed and saw a dead man lye in or on the bed. 'What!' sayd he, 'do you lodge me where a dead man lies?' Sayd the Chamberlain, 'Sir, here is no dead man.' The Dr. look't at it again and saw

it was himselfe, and from thence he went (ill) to Besils-leigh and died."

It is also interesting to observe that at this time All Souls contributed two prominent pioneers to the other mighty movement of the day—the Press.

Of Sir John *Birkenhead* we are told, "Laud taking a liking to him for his ingenuity did by his diploma make him M.A. in 1639, and by his letters commendatory he was elected Fellow of All Souls College."

Afterwards Reader in Moral Philosophy he was deprived "for that he contriveth and publisheth the scandalous pamphlet entitled *Mercurius Aulicus*" (a great royalist organ). During the Commonwealth according to Wood he continued to reside in Oxford, living "by his wits in helping young gentleman out at dead lifts in making poems, songs, and epistles to their respective mistresses, as also in translating and writing several little things and petite employments," which may explain the facility and force of his satirical poetry.

After the Restoration he became M.P. for Wilton, a member of the Royal Society and a Master of Requests. Marchmont *Needham*, who was only a chorister of All Souls, from which he graduated, made himself notorious as a pamphleteer, and as that "most seditious, mutable and railing author," whose pen was responsible for *Mercurius Britannicus* (an answer to the *Aulicus*), then for *Mercurius Pragmaticus* (and on the royalist side!), and finally with the Parliamentary *Mercurius Politicus* and *Public Intelligencer*. Wood says that after the Restoration "he practised physic

with some reputation in London." Two other Fellows deserve a word: John *Birkhead*, who subsequently founded the chair of Poetry in the University, himself "an elegant scholar and ingenious Latin poet," and *Trumbull*, afterwards Sir William *Trumbull*, a distinguished ambassador, Burgess of the University and Secretary of State to William III. Nor, though he stands *longo intervallo*, should a College which studies law quite forget J. *Keble*, a law reporter of repute in his own day even if legal specialists are now agreed that Chance's severe verdict "that it is to be regretted that any reference is ever made to" his law-reports is none too severe.

The visitation, it must be frankly admitted, had done much for All Souls, but one thing it completely failed to do—to prevent, much less to stamp out, the practice of "corrupt resignations." Its failure in this respect, however, is perhaps only one more proof of the truth that you can do everything with bayonets except sit upon them. No more striking evidence could be given of the grip which long-established custom had fastened on the College than the singular fact that within five years the "old leaven" had completely inoculated even the picked members of the Visitors, "the godly, the studious and the proficient in learning," with the virus of the *ancien régime*.

"Not long after the election of 1656," wrote the Visitors, "it pleased God to load and trouble the conscience of one Mr. Egerton . . . that according to the custom hee had given here £150 for the resignation whereby he obtayned his fellowship . . . and notwithstanding this testimony

from heaven . . . the fellowes this present yeare proceed to a New Election in the same way and in all probability with the same corruption."

In April a general order against "Corruption in Elections" had been issued, but All Souls and New College were particularly dishonoured by having a special and stringent code drawn up on their behalf. In the Visitors' strictures on its violation we note (1) the remark that usually no candidate save for "a dead place" stood unless he had already "the benefit of a resignation"; and (2) that the College is charged with "perjury" ("bargaining invented to evade the oath prescribed") besides the "other abuses and corruptions." In brief the practice had been reduced to a system thoroughly understood in the University; and no oath or set of oaths unless applied in a different way could be effectual, since the College would quietly shelve the Injunction as it had Cranmer's, Whitgift's and Abbot's. Another way had to be found, and before the Visitors could hit upon this their labours came to an end, and all that remained was the furious quarrel which brought down the curtain on their dealings with All Souls.

The sands of the Commonwealth had in fact run out. With Cromwell's death on September 3, 1658, the Restoration was already at hand, and on February 13, 1659, Wood can write with malicious triumph :

"At night there was great rejoicing here at Oxon for the news of a free Parlt, ringing of bells and bone fiers. There were rumps flung in a bonfire at Queen's Coll. and some at Dr. Palmer's window at All Soles,"

where the "Pseudo-Custos," "Oliver's friend," lay dying. On March 4 he was dead, if any man ever was *felix opportunitate mortis*.

The *interregnum* for All Souls had played itself out. Looking back, the cool observer, freed from the drums and tramlings of these twelve feverish years, cannot as regards All Souls endorse either as a statement of, or an inference from, facts Fell's famous and vehement verdict on the results of the Commonwealth. "An almost general riddance," he said, "was made of the loyal University in whose room succeeded an illiterate rabble swept up from the plough tail from shops and grammar schools and the dregs of the neighbour University."

Certainly the hardships of "the displaced," the cruel drain on the resources which began in 1642, deserve, and have won, full sympathy. But even setting aside the royal contributions to these misfortunes, the opinion of posterity has been unduly influenced by the judgments of those belonging to "the vanquished cause," whose opposition had been quickened to white heat by reforms thrust on them at the point of the pike. To the academic mind above all Puritan methods and ideals were invincibly repugnant. Yet the more we know of Restoration Oxford only emphasises the value of the Visitors' strenuous and high-minded sincerity in striving to promote a higher standard of conduct, a nobler conception of collegiate and intellectual duty. Their means were "mistaken"—yes, but what others could they employ? Their best regulations did not unfortunately endure. But their financial administration was sound; they did much in All Souls as in the

nation to repair the ravages of the war; they gave the College men who made it a true "Temple of the Muses"; lastly and not least the main elements of the reforms they had at heart were of the doctrines to which the future belonged.

CHAPTER VII

THE RESTORATION AND WARDEN JEAMES

Wardens : Gilbert Sheldon, 1660 ; John Meredith, 1661 ;
Thomas Jeames, 1665.

THE triumphant glare of the bonfires which disturbed Warden Palmer's last hours prepares one for the enthusiasm with which Oxford welcomed the Restoration. The colleges probably, "like the common people, hugged themselves up with the thought of a king," and, if Oxford loyalism has passed into a by-word, Wood's statement that "the scholars were mad, staring mad. To study was fanaticism ; to be moderate was downright rebellion," shows that the University in 1660 was not one whit behind the nation in extravagance of sentiment.

In All Souls the change was carried through quietly enough. The Wardenship remained vacant a few weeks, and then in May Sheldon, like his sovereign, was simply restored to a real *de facto* enjoyment of his long dormant *de jure* rights ; and with Juxon's appointment as Archbishop the College, after a lapse of sixteen years, once more had a statutory Visitor. Sheldon only remained a few months in office, resigning in

January 1661. His services as Bishop of London were required in the wider field of Church and State policy, and important as these were (are they not written in all the histories of England?), his proper connection with All Souls does not recommence until his translation to Canterbury in 1663, by which he won the proud distinction of being the only Fellow who has guided All Souls first as Warden and then as Visitor.

Wood's general statement that in the colleges "the restored" "did not amount to the sixth part of those ejected in 1648, they being either dead, had changed their religion, or married," is more than true of All Souls, since according to the Register only five were "put back," thereby confirming the assertion of Charles himself in 1670 that the majority of the Parliamentary Fellows, "intruders into the places of honest and loyal persons," were left undisturbed. And in the appointment of Baldwin, a "Parliamentary" Fellow, to serve on the Commission to regulate the monarchical resettlement of the University may be read the same conciliatory policy. Otherwise, of course, the "old order," ecclesiastical as well as secular, was instituted afresh, and the regulations of the Visitation, at best the counsels of perfection of a "usurping authority," were speedily forgotten.

Sheldon was succeeded by Dr. John Meredith, whose election to All Souls dated back to 1623. He had been ejected from his living and Fellowship at Eton during the Commonwealth, but was now rewarded "for his eminent work and constant affection to Us" by being appointed Provost of Eton through a royal mandamus. A man himself "of pleasing and ancient

manners," he made his Provostship remarkable for his efforts to restore discipline, while his brief Wardenship was appropriately signalised by two "restorations," first of the Founder's Tomb at Canterbury, and then of the Chapel of All Souls. Yet it might have been better had the *baroque* epoch of the seventeenth century not left so convincing a proof of its lack of artistic sense. The beautiful fifteenth-century work of the tomb was marred by the addition of florid figures and gaudy ornamentation, such as we associate with the worst memorials in Westminster Abbey or the Jesuit churches abroad—work which the present generation has recently (1898) had a melancholy pleasure in removing. In the Chapel the battered fragments of the reredos were buried beneath a liberal coat of mortar and plaster, and Streater, the Court painter of Charles II., to whom his own day thought we "owed more than to Michel Angelo," was commissioned to paint a fresco of "The Last Judgment" "in oil of turpentine." The ceiling was similarly filled in with stucco panelling, and the spaces between the windows also adorned with figures. The windows in the "inner chapel" were "restored," *i.e.*, remodelled, and "£18 was spent on repairing ye glass in ye outward chappel." Lack of funds must have happily spared the windows there from "the restorer's" hand. There is record, too, "that the seates" were to be "altered and made suitable," though, judging by the present excellent preservation of the carved oaken *misereres*, little damage can have been done. The Chapel, in short, took the form it was to wear for two centuries, and it is almost pathetic to observe how effectually these

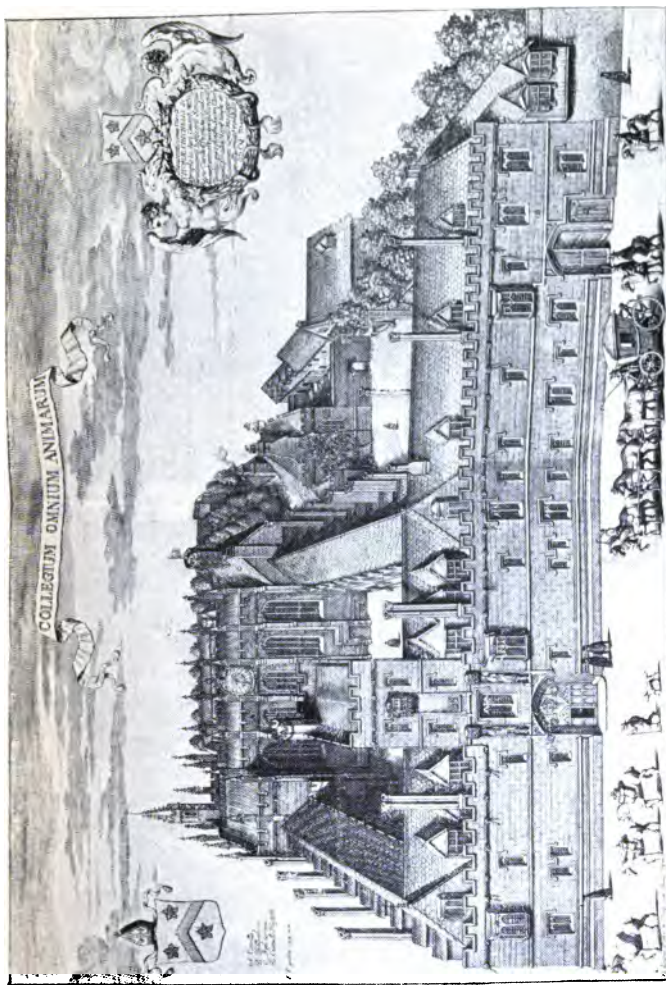
changes obliterated the memory of its original appearance. All Souls literally forgot that it once had a reredos and a "hammer beam" roof, and Dr. Wenman, writing at the end of the eighteenth century, does not, for all his erudition, betray the faintest glimmer of a suspicion as to what lay behind the lath and plaster of 1665. It is equally striking that Wren, the greatest architectural genius of the day and lately a Fellow, had no part nor lot in the "restoration." Was it—we fain would hope so—because he disapproved? The cost and merit of the reconstruction belongs almost wholly to Warden Meredith, as the epitaph on his tomb claims; yet it is only fair to recall that the age of Charles II. cordially approved of the results. Evelyn, it is true, in saying that

"ye picture on ye wall over ye altar at is the largest piece of Fresco painting in England, not ill design'd, yet I feare it will not hold long. It seems too full of nakedes for a chapel,"

proved here, as elsewhere, his superior purity and correctness of taste, for his judgment was amply borne out by those who saw the fragments in 1872. Even before then Baskerville, who saw it fifteen years later, writes :

"All Souls has a very good chappel pav'd with black and white marble and on ye wall at ye East End is painted ye Resurrection among the rest old Chichley rising out of his tombe. But the colours have now lost much of their beauty and I believe people in these dayes have not the skill to paint on walls as in former times."

On his death in 1685 Meredith was fitly buried in



From a photograph by the

ALL SOULS IN THE SEVENTEENTH CENTURY (LOGGAN, 1979)

[Oxford Camera Club

the Chapel which bore such unmistakable witness to his generosity.

His successor was Dr. Thomas Jeames, who, alike by his strength of character, sound judgment and the memorable achievements of his Wardenship, takes his well-deserved place with Warner and Hovenden among the great Wardens of All Souls. Wood, to be sure, maliciously insinuates that he was bullied by his wife; but if the gossip be true, she was the only person who bullied him successfully. Elected a Fellow in 1642, we have his own authority for the statement that "he bore arms in the cause of the good king, and in the time of usurpation was turned out and banish'd from the College."

The irony of events now ordained that the stout-hearted royalist was to spend his life in battling, as Hovenden had battled, against the royal prerogative and corruption in high places. For the period positively bristles with recommendations and interferences royal and otherwise, in all of which the little finger of Charles II. and, above all, James II. was thicker than the loins of their "good" father and grandfather. Here, indeed, can be etched in inglorious miniature the results of the "dispensing power" and an "absolute sovereignty." A few of the most characteristic examples picked from what might be a portentously long list will suffice to illustrate the sleepless jobbery and intriguing alluded to *ad nauseam* in Sheldon's and Sancroft's correspondence, of the greedy herd "of suitors and petitioners for his Majesty's letters." Meredith's mandamus to the Provostship at Eton set the ball rolling, and in 1670 we have a typical letter from Charles by which he "wills and requires the College to

elect, any Canon, Statute, Custom, or Constitution notwithstanding, Peter Prydiaulx." The College kicked and passed him over, but being twice severely rebuked "for their undutiful contempt of our authority," sulkily consented to a collusive devolution. In 1676 the Duke of York sends them a candidate, W. Osborne, and in the same year His Grace of Ormond condescends to inform the Fellows that he had done his best to prevent royal mandates, and therefore expects them to comply with his own recommendations "upon extraordinary occasions," nominating therewith Gervais, son of Sir Adrian Scroope. A letter from Sir J. Williamson is of a similar tenor, and we find Nottingham admitting that with Lord Halifax he had "importuned" the Archbishop "for a Fellowship in All Souls." In 1684 one Morgan had got a mandate through the Duke of Beaufort with the significant "clause that if it were not obeyed the charter would be questioned." Nor is the touch to be expected of the age of Lady Castlemaine and Nell Gwynne wanting, for a writer mysteriously remarks

"that nothing but his grace's letter can prevent 'the Woman of the college' from disposing of this as she has done of other Fellowships."

The Tanner MSS. contain only too abundant proof that, as Dr. Jeames phrased it, "interest," not sentiment, "in so corrupt an age as this is, ruled the world," and on it, as on "lordship" earlier, hung the law and the prophets.*

* A nice instance of the "begging letter" is supplied by John Herne, who wrote to Warden Meredith in 1662 as follows: "Worthy

Sheldon, unfortunately, was almost powerless. His tenure of his See is, as we all know, distinguished by splendid political services; his name in Oxford is linked with Wren's by the Sheldonian Theatre, which the munificence of one All Souls man and the architectural genius of another ("not disdaining," as Evelyn proudly notes, "my advice in some particulars,") combined to erect; his correspondence as Visitor shows how much the prosperity of All Souls in every sense was continually in his thoughts, and he is credited with having curbed the King's propensity for gratifying intriguing applicants, yet on the question of "recommendations" he gives no certain voice. Though pestered by importunities he can urge the College, in 1666, "to remember their oaths and admit all competitors," only to remark in another passage that, if they fail to do so, "it is more reasonable the King should be gratified than any of you"—a very plain stab at certain customs. Later still he quashes an unstatutable election; and in 1675, while "recommending four candidates he leaves them to their trial." In short, he does his best to see that "the examination" is not a farce, he will not directly "recommend" himself, but he cannot prevent

Sir, I have a petition to present to your worship in the behalfe of a little boy my sonn whom I intend to make a scholler (God assisting me) which I shall the better be enabled to doe if holpen by such a Mæcenas (is reported) your worship to have been to many. . . . Now your worship being the head of two famous Colledges and chief master and Provost of Eaton Colledge hath emboldened me to become your worship's humble petitioner that you will be pleased to write down my boys name at the foot of the list of those on whom your worship intends to bestow your favours and I shall humbly wayte your pleasure and leisure if at any time hereafter you shall be pleased to think on me." (*Coll. Archives.*)

King and Court from doing so, nor indeed himself from being occasionally their instrument. Undeniably Sheldon is in this sphere superior to Bancroft and Laud, for there are no patent "jobs" to be balanced against him. His sins are of omission not commission, for he did nothing to root out the system of corrupt resignation. It is disappointing to record that the most signal feature of his Visitorship is his readiness, in 1666, "to indulge them always with what remains to be divided," which finally and definitely established the custom of the annual division of the surplus. Now Sheldon as a Fellow and Warden who had fought Laud on the resignation system, knew the College and its customs better than any man then living, as well as the futility of general exhortations to remember "their duties"; and the plain facts of the struggle which followed his death leave, unhappily, no doubt of how flagrant the evil had become. In 1677 he bequeathed £300 in his will to All Souls and the right to sum up the forty years of revolution and counter-revolution in Church and State with the magnificent epitaph "*quorum pars magna fuit*," but what might have been the crown and glory of an unselfish and devoted career he did not add.

The honour of stemming "the torrent of corruption," fell to his successor Sancroft and Warden Jeames. The remark of the latter "that several Parliament men have resolved and threatened to complain of our selling our Fellowships," clearly indicates that by 1678 if All Souls did not "reform" itself from within it might have been "reformed" from without—with a vengeance. But the time and the men had come.

Only the barest outline of a battle remarkable for its stubborn obstinacy can be attempted here. On May 9, 1680, Warden Jeames informs Sancroft of the undoubted existence "of those Resignations which pass by the name of '*in favorem*' or '*ad gratiam*,'" and we learn that Abbot's stringent Injunction had been watered down to an oath which was one huge evasion of the point at issue, while Astley's efforts to enforce it had been brushed aside by the "Fellows saying that if they were obliged to resign to nobody that might be grateful, they must then resign to the Devil." Sancroft's indignation at "such wicked and profane speech" boiled over when he was told his own chaplain was pushing a nominee for 250 guineas. In a severely worded Injunction he reimposes Abbot's oath, solemnly pronouncing all such corrupt elections null and void. Jeames, with masterly insight, had grasped the secret of all previous failures, and he now forged out of the Warden's veto the "Excalibur" to cut down the tree of the magicians. The election day duly arrived, but the Fellows, save the Sub-Warden and the Senior, refused to take the oath and the Warden boldly rejected their votes, "which to stagger and fright him they threw in scraps of paper on the table." A statutory devolution accordingly went up to the Visitor. The Warden had brought matters to a crisis by this unsparing use of the veto. If Sancroft remained firm Jeames had the College at his mercy.

The Fellows knew it, and aided by the strong legal element amongst them, promptly drew up a Protocol in which: (1) they calmly asserted "that corruption had not *yet* been made appear to *us*"—the "yet" and

the "us" are delicious; (2) they contended the use of the veto was *extra vires*, and that the Visitor had no statutory power to impose the oath which they had refused. Furthermore they set to work to move all the backstairs influence they had at Court to get *mandamuses* to crush the "Reformers." Sancroft's "nomination," on the devolution, of Norris, Stapylton, and George Clarke, the latter destined to play a great part in the history of All Souls, cheered the Warden by confirming the veto and "much dismayed the Fellows." A mandamus moved for in the Court of King's Bench to admit one of the rejected candidates, alleging proper election, removed the second contention to the Courts of Law, and pending the decision there the struggle degenerated into ludicrous and petty squabbles. The Warden was on his mettle. He persuaded Sancroft to devote some of the surplus for the now necessary legal expenses and thereby "pinched" the Liveries; he "reduced" the Fellows "to their ordinary commons in messes and chops," and "to countenance the Probationers," so abhorred by the rest, dined himself in Hall. In return the Fellows "put all the affronts" on their Head "they could with any security"; the Dean of Arts "abused" the "Sub-Warden in gross language," "and was immediately put out of Commons for a week," and they demanded the dismissal of the cook and groom because they were married. To this Sancroft replied with warmth:

"I observe that, where vile gain and interest beckon to you, you swallow camels, and mountainous breaches of so many statutes pass glibly down, and in the meantime you strain at this gnat."

The College was "in a perfect state of war." When the election of 1681 came round the Warden again vetoed the candidates of the Fellows, and Sancroft again rammed the veto home by nominating on the inevitable devolution. A fortnight later the Courts heard "the cause of the mandamus" and

"upon a full debate dismissed the complainants not without honourable reflections upon his Grace's firm endeavours to abolish the corrupt custom."

This was the Fellows' Waterloo, for Sancroft had also triumphed over "the faction at Whitehall," and "stopped" the hoped-for *mandamuses*. The College could only submit. Accordingly the four Probationers of 1681 were now admitted "with the full consent of the Fellows," and the Warden wrote with triumphant satisfaction: "Your Grace hath so subdued the unruly spirits that I think there is no fear of the raising of new storms."

It only remained to make the Injunction good and to restore the havoc in the concord of the College. The Fellows once tried to "bribe" the Warden by offering to elect his son, though not seventeen years old, but Dr. Jeames refused, and we hear no more of "corrupt resignation." That long and tiresome chapter is now definitely closed. Sancroft meanwhile urged conciliation, and two concessions aided the Warden's forgiving tact. Every Fellow on resigning was to receive £20 as "compensation" for the £200 *he had hitherto received from his nominee*; while a rateable proportion of the allowances was to be made to all members losing their places by death, resignation or otherwise. They were not too

heavy a price to pay for harmony, and in 1683 Jeames expresses his opinion that "ye College is settled in a firmer peace than ever."

Corruption had not been the only difficulty Jeames had been required to grapple with. Wood's evidence as to the "multitude of ail houses" and the looseness of living in certain sections of the Oxford world is unimpeachable, and All Souls, like most colleges, had its "faction," as the Warden calls them, whose conduct is typical of Restoration morals. Hard drinking was the commonest feature, and "the tavern against All Souls," once made classic by the coffee *symposia* of Wren and Millington, now won for itself fame as the scene of uproarious drinking bouts. Wood tells how, in 1672, "two Servitors of All Soules being taken by the Proctors doing mischief had to stand without their caps and gownes at the Convocation house dore by the altar from 9-11 in the morning."

On another occasion three of the Fellows

"having been drinking at the Mermaid Tavern came to the Mitre and awak'd the hostess and desir'd to have some meat dress'd. She said 'twas late, whereupon they called her strang names and told her 'shee deserved to have her throat cut.' Whereupon being extreamely frighted shee fell into fits and died at three in the morne."

The Fellows were compelled later to "make a recantation in the congregation." Exuberant loyalty frequently served as an excuse. In 1682

"several colleges had bone fiers. All Souls especially; about 11 at night they brought a barrel of beer and drank it in healths on their knees out of the buckets that hung in

the hall. They had wine in great plenty from the tavern over the way, guarded by a file of Musquetteers and a drummer that beat round the College Quadrangle."

Leopold Finch, the son of the Earl of Winchelsea, played a notable part in these rollicking revels. He had come forward as a candidate in 1681, strongly "recommended" by Charles II., when Jeames informed Sancroft "that the very tavern over the way was afraid of his coming to be so near a neighbour."

Elected in 1682 on his "promise to amend," in spite of "his ranting with the faction day and night till morning," he soon became a ringleader. On one occasion with some Christchurch men he stopped Lady Lovelace's coach "in ye publique streets," threatened to haul the old lady out with abuse that must be omitted, and "then went on to revell all night at ye Tavern" until the Warden "sent them word he would fetch the Vice-Chancellor to pull them out."

On James's accession there were more riotous rejoicings, and on the breaking out of the Monmouth rebellion, Finch mustered a company of scholars in "scarlet coats, scarfs about their wasts and white feathers in their hats," and on July 8 marched them to the tuck of drum towards Islip to secure the London road. Sedgemoor caused their speedy disbandment, and they wound up their bloodless campaign by dining with the Earl of Abingdon at Ricot, who sent them "home well fuz'd." The drum used by the loyal squad, with two ponderous muskets, still adorns the Bursary. Well might Jeames complain "that their expenses are considerably increased by their being in arms during the late rebellion."

The Punishment Book now begins to hang out storm signals, and its references, which grow thicker towards the end of Jeames's Wardenship, to "noctivagation," "lying out of College," and uproarious drinking-parties at night within the walls of All Souls, show how trying a task the maintenance of discipline must have been. The pleasanter sides of the social proclivities of the age come out in the building of a Common Room, which All Souls, like many other colleges, added to its buildings at this period. In 1668 it is agreed to allot "the officers money usually layd downe by the new Fellows at their admission" to the building of a Common Room, and in 1679 £200 more are spent, apparently on making an upper storey; and Baskerville, who found "All Souls and the good people in it" a very hospitable company, has left a memorable account of the "very ancient ceremony of the Mallard night." (Rawl. MSS. 810, D.)

"When they have a mind to keep it," he writes, "the time is always within a night or two of All Souls; then there are six Electors wch nominate ye Lord of the Mallard, wch Lord is to bear the expences of the ceremony. When he is chosen six officers who march before him with white staves in their hands and meddalls hanging upon their breasts tied with a large blew ribbond; upon ye medalls is cut on one side the Lrd of the Mallard with his officers, on the other ye Mallard as he is carried upon a long Pole. When ye Lord is seated in his chair with his officers of state before him they carry him thrice about the Quad-rangle and sing this song . . . being sung by one man all ye rest yt are present bearing the Chorus. When that is done they knock at all the Middle Chambers where

most of ye Seniors lodge of whom they demand Crowns a piece wch is readily given, then they go with 20 or 30 Torches upon the leads of ye Colledge where they sing their song as before. This ended they go into their Common Rooms where they make themselves merry with what wine every one has a mind to. When they have sufficiently refresh'd themselves to conclude all they go into the Buttery where every one has his tumbler of canary or other wine. Then he that bore the Mallard chops of his head dropping some of the bloud into every tumbler, wch being drunk off every one disposeth of himself as he thinks fit, it being generally day breke."

And here we may now add Wood's briefer remarks on the same ceremony :

"14 January at night used formerly to be called All-soules College *Mallard night*, that is I suppose no other than the 'Fresh night.' For that day those candidates which had been chosen on All Soules day going before, were admitted; and that daye or soone after the probationers for the yeare before going were to be admitted fellowes. Those that were thus to be admitted were brought from their chambers in the middle of the night (having neither gowne or band on) somtimes on a coule staff (i.e., a long pole) and so led in the hall and about the college. Before whom some of the junior fellows, sometimes disguised would sing a song in praise of the Mallard."

Another feature of the Restoration period is the steady growth "in dispensations" which the College registers reveal. The licence of the age of Charles II., following on the upheaval wrought by the Commonwealth, began to honeycomb the Statute Book. Warden Jeames complains of "the backwardness to take orders,"

and a custom grew up by which "commutation of faculties" and the "study of physic" became recognised ways for the Artists to evade the plain dictates of the constitution. Unless soon checked the College was slowly, very slowly, drifting into a society largely lay and partially non-residential. "The soberer element," in the Warden's phrase, the really hard workers utilised the prevailing laxity to aid their legal and professional ambitions, and by absenting themselves more and more deprived the College of the leaven of their influence and so disastrously aggravated the task of maintaining order amongst the idler "faction."

Life in All Souls, however, was by no means confined to heavy dining and hard drinking. Physical science claimed the devotion of many of the best spirits, and there still survive in the Rawlinson MSS. (D, 859) in the Bodleian exercises of the candidates for the examination of 1680 which show it was no mere farce. The "themes" both in Latin prose and verse include the discussion of such maxims as "*Ignoscas aliis multa, nihil tibi,*" "*Quæ recta sunt paucissimis placent,*" "*Desiderata magis delectant quam acquisita,*" admirably chosen considering that the resignation system was just about to be broached, while another, "*Ferrum tuetur principem, melius fides,*" gave a charming opportunity for sound political philosophy. The numerous and careful comments on the candidate, such as "a youth of good hopes," &c., prove the "examiners" were as careful as the examined. All Souls also seems to have been a prominent musical centre, of which the leaders, Pett, Digby and Bull, were also frequent associates of Wood when he played on the violin. Evelyn

remembers, for example, "how at All Souls we heard music, voices and theorbos performed by some ingenious scholars." It is strange that the musical Fellows made no effort to acquire an organ.

It was likewise the age of formal visits. The restored chapel had become as it is to-day, something which no one, great or small, "could afford to miss." Pepys paid five shillings "to see the chapel and Chichley's picture." Wood invariably takes his friends to All Souls where he had many acquaintances; Elias Ashmole, for example, under his guidance "sees many curiosities and the painting in the chappell." More distinguished guests were the Chancellor Clarendon whom the Doctors and Master rode out to meet, and "who dined in All Souls and lay in the Warden's Lodgings," and later

"The king, queen, duke of York and dutchess went in the King's Coach with their retinew to All Souls, when the Warden and Fellows meet him at the gate and Mr. Tomkins spak a speech. After that (of course) they saw the Chappell."

In 1617 "the Prince of Aurange" paid a visit, "when Mr. Alan Carre speecht it," and twelve years later comes the Prince of Morocco, neither of whom escaped the inevitable sight.

Wood also informs us how at this time "he began to peruse" the College archives, and it is pleasant to know "that they were put in good method." Nor was the Library neglected. We read in 1665, "the shelves are to be enlarged to the receiving the books of Mr.

Digs," and the "officers money is to be disposed of for bookes to ye Library"—those ponderous tomes on obsolete medicine and theology which now line the shelves in serried and forbidding files of erudition. "To the Library keeper" are allotted 40s. a year, and he deserved it.

In 1674 a lecturer is chosen for Stanton Harcourt, to be paid ten marks for ten lectures. The notice that "henceforth the minutes of the last meeting are to be read at all College meetings," with its fine of 6*d.* for absence, evinces a significant business-like air. And from time to time behind the monotonous details of "fines" and leases faint echoes of public events are wafted. Of these the gift of £10 to "the poor of London impoverished by the late fire" (1666), and the sums voted in 1682 and 1686 to "the needs of the French Protestants," are instances which explain themselves. The longer record of Jan. 29, 1680,

"that all who belong to the Foundation should have their Co-Ex-Co till a fortnight after the removal of the court and Parliament from Oxford,"

carries us straight back into the heart of the furious struggle over the Exclusion Bill. "The bone fiers," the buckets of beer, and the tattered drum in the Bursary tell how little sympathy the College had with "the brisk boys" of Shaftesbury and the Whigs.

In 1686 Warden Jeames died oppressed by misgivings for the future. "The King," he wrote, "I fear has granted a mandamus for one"; nor had the internal politics of All Souls a more promising air than

those of Oxford and England. But the Warden had at least succeeded where so many Visitors and Wardens had failed. Sancroft's dying words, "What I have done, I have done in the integrity of my heart," is the truest epitaph for Visitor and Warden alike, since in the history of the College Sancroft and Jeames are linked by a bond which does honour to both.

CHAPTER VIII

STORM AND STRESS—WARDEN GARDINER

Wardens : Hon. Leopold W. Finch, 1686 ; Bernard Gardiner, 1702 ;
Stephen Niblett, 1726.

THE period from 1685-1720 is not an inviting one in the history of All Souls ; despite much generous and unselfish work centring round a group of distinguished figures—Codrington, Lloyd, Clarke, Tanner and Warden Gardiner—the unrestrained bitterness and vindictiveness of party spirit, the ignoble intriguing, the captious quarrelsomeness, the low social and moral tone, render the chronicler's duty eminently disagreeable.

Warden Jeames's misgivings were speedily realised. While he lay dying some four or five persons—Finch, Watson, Tindal, Dr. Plot—were competing in importuning the king for a mandamus to make them Warden, and we read that one Harrington “ offered R. Brent of the Treasury 250 guineas ” for a similar document, “ but could not effect it.” Even Dryden at one time “ stood fair to preside over ” All Souls. But in Hearne's phrase, Finch “ got the start of them all,” and on January 15, 1687, the Mandate was issued in his favour, “ notwithstanding any custom, statute, or constitution of the College to the contrary.” It was a treacherous act on

the part of one who owed his Fellowship to an interference with free election and a promise "to amend." The best that can be said is Finch's own excuse that he was not a "Papist" and saved the College from such, but Dryden, "Papist" though he was, would have been preferable. He at least might have made the Common Room and "the tavern over the way" a "Will's coffee-house" for the wits.

It was not to be: and so on January 18, 1687, some fourteen or sixteen of the Fellows meekly rode out to meet the new "Warden" with his mandamus triumphantly in his pocket. All Souls was ready to comply. Like its Visitor, Sancroft, "who did nothing in it," the College was "pleased to wink at his proceedings." True, the Fellows refused to *elect* the nominee planted on them by the royal prerogative; by a pitiful sophism they merely *admitted* him, thus saving their oaths and their skins at the same time.

The career of Finch so far had been an injudicious mixture of exuberant loyalty and dissipated habits, irrelevantly tempered by dabbling in the classics. His dedication of his *Cornelius Nepos* and an able if extravagantly loyal speech to the Duke of York on his visit to the College in 1683, justify Wood's qualification of his many severe strictures on his conduct "that he was not altogether a debauchee," and bear out Warden Jeames's opinion "that he was not that flagitious man which he is represented to be."* He clearly had no

* Had Prof. Burrows been writing in 1898 he would have been the first to modify his remark *à propos* of Finch's literary efforts "that he is the only Warden who has been so rash as to become an author."

mean talents, and when he chose his handsome face and agreeable manners could win for him as much popularity at Court as in the parlour of "The Mermaid Tavern." Clarendon was probably summing up correctly what many who only knew the Finch of St. James and Whitehall thought when he gravely said, "It is a great happiness to our church that persons of your quality and abilities enter into it." Unfortunately All Souls was to have few opportunities for appreciating his better side. "The faction" no doubt, of which he had been the boon companion and the ringleader, is probably responsible for the words on his monument, "*Custos dilectissimus*," but its doings in the next Wardenship showed how disastrous for discipline and decency the bad example of its "beloved Head" had been.

For a time Finch paid for his *mandamus* by his loyalty; "bone fiers" continued to throw the enthusiasm of the College into brilliant relief; and in November 1687 Wood writes sorrowfully:

"All Souls Day, soldiers and trumpeters with Leopold Finch in the dining roome next to the street all the afternoon till about 9 at night drinking healths and every health sounded—the English church languishing."

But when "the Protestant wind" brought "the Prince of Aurange," the Warden after a moment's hesitation saved the College and himself disagreeable complications "by going over," like Marlborough and others, in the very nick of time. Passive obedience to a sovereign who can dole out *mandamuses* is one thing; passive obedience with the big battalions against you quite another. Finch got his reward—a Prebendal

Stall at Canterbury and the favour of the violator of what he had declared to be "an essential principle of government, the lineal succession." His luck was quite extraordinary; for to a high-handed act he ultimately owed the rectification of his position as Warden. In 1688 he was a candidate against Dodwell for the chair of the Camden Professor, and defeated because he believed that one of the chaplains, the learned Jonas Proast, afterwards Archdeacon of Berks, had persuaded two Fellows to vote for his rival. Finch arbitrarily dismissed the chaplain for daring to think he was not as fitted as the erudite Dodwell to expound ancient history. Whereupon Proast appealed to the Visitor for reinstatement and a wearisome dispute began. Finch stood to his guns. "If he is our chaplain," he wrote, "I cannot be his Warden," and he characterised Proast's "style as more haughty than that of the King of France after a victory." The College, too, was on his side, for an entry in the *Acta* runs:

"They desire Mr. Warden to admonish the said Mr. Proast to forbear coming to the said college from which he has been expelled."

But Proast was obstinate as well as erudite. After unjustifiable delay he wrung from Tillotson in 1694 a decision in his favour, but as he insisted not merely on reinstatement but also on the arrears of his stipend, it was not till 1697 that Tenison gave a verdict on all counts against the Warden. "At the request of the Visitor," the *Acta* says, "an accomodation of £100 taken from the Tower Fund for the peace of the Coll." is to be made.

Better still, the lengthy arguments had proved that Finch owed his position to an illegal exercise of the "dispensing power," with the result that the Wardenship is declared vacant, the Fellows by agreement make a devolution to the Visitor, who then legally appoints Finch. Strictly speaking then his *de jure* Wardenship dates from 1698. The two most creditable features of his career—for the dedications of various books to a Court favourite protest too much—are (1) his successful efforts to get first a chaplaincy (1694), and then a Fellowship (1696) for the learned antiquary, Thomas Tanner, "without which he must have left his beloved Oxford and his studies there"; and (2) the indisputable fact on which he especially plumed himself that he had faithfully executed Sancroft's Injunction against "corrupt resignations," all the more satisfactory because Finch's extravagance made him peculiarly liable to pecuniary temptations. In 1699 Tenison is actually compelled to issue the humiliating order that "the Warden is not to battel more than 25s. a week until his debts to the College are paid," to which his successor has added the grim note that All Souls lost "only £40 by him." In 1702 Finch died, according to tradition with the bailiffs in his house—but it is better to pass on without comment.

The next Warden—Bernard Gardiner—was a man of a very different stamp. The friend of many of the best men in Oxford, his academic career was distinguished; besides being a Keeper of the Archives and a Curator of the Theatre, he acted as Vice-Chancellor from 1711 to 1715, during one of the stormiest periods in the annals of the University. His Wardenship, memorable for

its results and achievements, is from first to last a prolonged and bitter controversy. As Prof. Burrows truly says, "the College lives in the Courts of the Visitors," while the occurrence of two Archiepiscopal Visitations makes it unique. A verdict on Gardiner's character and policy during this unhappy epoch of storm and stress can only be expressed with great diffidence, for the evidence is voluminous and conflicting. To say that the Warden was hard-working, conscientious, actuated by a high standard of duty, is to say no more than is his due—for he was resolute to obstinacy and of unimpeachable courage, one who neither feared nor flattered flesh. Grimly witty too, he was the author of the smiting reply to Archbishop Wake's remark that the Founder never contemplated married Wardens: "Nor," was Gardiner's *riposte*, "did he contemplate married Visitors." Yet by the majority of his colleagues he was disliked, distrusted, almost detested. Hearne, who had private and public reasons for hating him, writes of All Souls and its Warden with a pen steeped in the gall of the discredited Jacobite, and would have us believe that Gardiner was little better than a morose, drunken and corrupt jobber—charges that certainly cannot be made good. Yet Gardiner had two damning defects—a constitutional incapacity to see the other side, and a complete lack of tact. He quarrelled over everything from the interpretation of a statute to his allowance of linen, repairs in his Lodgings, or the price of stable corn. Even making allowance for the rampant fanaticism of party spirit, and the unjustifiable provocation and licence of a section of the College, Gardiner's blunt directness,

irritability, almost querulous refusal of all compromise, must bear its share of blame for the painful recriminations and feverish friction which are the gloomy background to the momentous problems of principle in debate. Unlike Warden Jeames, who had to thrust a reform on the College which it loathed, yet did not forfeit their respect, Gardiner failed to carry his schemes and to win from the victors a verdict that his conscience was right, if his judgment had been wrong. All Souls, in fact, had come to the parting of the ways. The chief causes of the controversy which raged from 1702 to 1720 can be reduced to a simple formula—were the Statutes to be literally interpreted and enforced? or were the modifications slowly established by custom to be carried one step further as altered conditions seemed to demand? (1) What was to be the number of “physic places”? By custom they carried a dispensation from taking Orders; and if so could an artist “commute” his faculty? Was the study of “physic” to be worn down to a threadbare academic fiction for a Parliamentary or professional career? (2) Must all artists be obliged to take Orders, or could “dispensations” be granted, and if so what was a “legitimate impediment”? Gardiner’s reference to the “abominable design of desperate men about to solicit Parliament to repeal the Statute on the subject,” (1708) though the idea of Parliamentary “interference” was dropped, shows how acute this vexed question had become. (3) Under what conditions was non-residence permissible? Was the “study of the Common Law” a “reasonable” cause for a dispensation? (4) Did “service under the Crown” entitle to a

temporary release from statutory obligations? The precedents reached back to 1549, and in 1694 Tillotson had ruled "that those in attendance on his Majesty ought to be esteemed as present in the said college."

Trumbull, Codrington, and many others had benefited thereby, and now in 1709 Blencowe, "a proud fanaticall Whig," and "Decipherer to her Majesty," claimed a like privilege. Gardiner's resistance drew on him the full wrath of the Whigs, Sunderland informing him that

"It was her Majesty's pleasure that he (Blencowe) should quietly enjoy his Fellowship, as if he were in Orders, and resident."

But was "Blencowe's case" the last word? On these and kindred problems of principle, on every one of which a volume tracing the acrimonious and prolix epistolary warfare might be written, Gardiner fought for the literal interpretation of the statutes. The "physic places" were to be reduced to the maximum of four; against the plain wording of the Founder's code as to the taking of Orders, strict residence, the scope of the "Law Studies," no custom or new creed was to prevail. The Warden bluntly informed the Archbishop that he had "no right," as Visitor, to alter the original constitution.

"The statutes of the College," he wrote, "are the Founder's will and may not be distinguished away by arbitrary opinion upon a pretence of alteration of times."

The defendant, in fact, disputed the jurisdiction of the Court—a courageous but hopeless plea. In despair he drew from its rusty sheath Warden Jeames's "Ex-

calibur," the veto, and plumply barred the College dispensations, with the inevitable result that the legality of the veto was speedily thrown into the crucible of controversy. Gardiner, it is only too clear, fought like *Athanasius contra mundum*. His opponents were ranged into two classes, a knot of the conscientious Fellows who honestly believed that altered circumstances *did* require a rational remodelling of the code, and "the faction," who grasped in the controversy a fine opportunity to indulge their detestation of a stern Head and their natural desire to get rid of restrictions that required them to work and be sober. Gardiner, unhappily, did not accurately distinguish between them: with tact he might have enlisted the honest party on his side, whereas he only saw one vast and malignant conspiracy "to plant the study of Common Law, ruin the study of Theology," and be subversive of all authority.

Internally the College was torn by quarrels quickened by the most implacable party spirit, for amongst the Fellows were remnants of "the Popish party," Jacobites, Non-Jurors, together with rabid Whigs, Tories, Deists and Republicans. The junior members signalled themselves by their disrespect of their Warden, and their contempt for decency as well as discipline. *The Punishment Book* and Gardiner's letters only too fully confirm Hearne's maliciously gleeful insinuation that the Society was at daggers drawn with its Head and riddled with strife. Two examples will suffice.

"On Jan. 30th 1706," notes Hearne with Jacobitical horror, "an abominable riot in All Souls. Two Fellows had a Dinner drest at 12 o'clock part of which was woodcocks

whose heads they cut off in contempt of the memory of the Blessed Martyr. At this dinner were present two of the Pro-Proctors, both low churchmen. One of the Fellows was for having Calves-Heads but the Cook refus'd to dress them."

In 1709 Gardiner complains to Archbishop Tenison

"that whilst stopping at the Catherine Wheel, Wycombe, on his return from Lambeth Blencowe and three others disturbed him by having Morris dancers in the next room to his."

A solemn inquiry by the Archbishop could alone be expected to make peace. Yet, such was the bitterness of party feeling that Hearne asserts, that when the citation of the pending Visitation had been posted up on the gates of the College it was torn down, of course, "by one or more of the Warden's agents." A batch of Injunctions followed the exhaustive investigations of Dr. Bettesworth, the Commissary of the Visitor (1710-1711). Those dealing with "attendance at Divine Service," taking Orders and degrees, the College horses and the *debita reverentia* to the Warden, painfully confirm Gardiner's accusations against the "faction" and reveal the lamentably low level in discipline. On other points the decisions were remarkable. The number of "physic places" was kept at four, as arranged in 1704; but the Warden's veto, while confirmed in the election of Fellows, was taken away in the granting of "dispensations," now to be settled by a majority of the officers. In plain truth the Warden had been defeated; he was left to rule a mutinous College with only a power of protesting against their decisions. Yet he lost none of his magnificent courage. His Vice-Chancellorship, with

its expulsion of Ayliffe, its suppression of the orations of the *Terra Filius*, his transference of the University Press to the Clarendon Buildings, and the dismissal of Hearne, illustrate strikingly his uncompromising conscientiousness. And he doggedly returned to the fray within the walls of All Souls, where fresh subjects of dispute at once sprang up.

In the nation, during these years, party spirit rose to fever pitch; in the College the respectable element was largely non-resident. Even allowing for exaggeration the conduct of "the faction" could not have been worse. They were in open rebellion. Scavenging amongst the dustheaps of the past is sad work, but matters must have been in a deplorable state when we hear of delay of business owing to the wilful absence of the Deans, "the poor cavil" of the officers in refusing the Warden his allowances, "the insolence" of the Sub-Warden, bursarial "frauds," "the encroachments of the Fellows," the riotous behaviour of various members, the open violation of the statutes by marriage, not to say worse scandals.

Pitiful recriminations and counter-recriminations are hurled at Lambeth. Gardiner is accused of "pharisaical litigiousness," and in return piles up a formidable indictment. The Fellows refuse to take Orders and to come to chapel; "they lie constantly outside the College"; one of them "is directly mad," yet is made Dean; they keep dogs and beat the servants, and so on through the weary gamut. No wonder the Warden wrote: "I believe there is hardly such another instance of trouble given to any Head of a House in either University as has been given me these many years."

We may note especially: (1) when Gardiner wrote out in "The Chained Statute Book" the reversal he had obtained of the decision in Blencowe's case, the majority makes a counter-entry that it was done "without the order of the Visitor and against the opinion of the Fellows"; (2) the question whether the tenure of a Professorial chair necessarily caused the vacating of a Fellowship; (3) had the Warden right to allot rooms? (4) had he a veto in the election of officers?

On these and the disciplinary troubles deadlock again supervened. In 1719 Archbishop Wake sent Bettsworth a second time to hold a Visitation, with the result that the disciplinary offences were not very severely handled, the Warden's right of allotting rooms was confirmed, but his veto on the election of College officers was taken away, while the granting of "dispensations" was to be by an unanimous, not a majority, vote. It was tantamount to another defeat for the courageous Warden. He was left with one prerogative the less for future fighting, and the proof follows in the retention by Sedgwick Harrison of his Fellowship while holding a University Professorship. It is also remarkable that "dispensations" were granted and acted on, though the Warden's dissents marred the unanimity required. As he might have phrased it himself, the Sons of Zeruah had been too hard for him; his health broke down and he gave up the struggle. One more dispute alone came to send his grey hairs with sorrow to the grave. In 1723 a Mr. Wood had claimed election on the plea of Founder's kin and had been rejected. The Warden, for the first

time backed up by the whole College, appealed to the Visitor to ask him to reverse his own decision in favour of "the blood of Chichele." The result was a foregone conclusion. Wake, who had placed his own son in All Souls by the "right of the Founder's kin," naturally decided for his own jurisdiction.

"As the crowd of purple slaves (to quote an eye-witness) in the ante-chamber rightly observed, '*My Lord hath got his cause*' . . . and here his Grace had a fit of the gravel and was obliged to leave the Court for a while."

One more defeat for the gouty old Warden! Wood was admitted, the College sulkily recording a protest that "it was compelled thereto by the mandate of the Visitor, but reserved any right to a further remedy."

The decision opened the sluices later to a deluge; it cost All Souls £700 in law expenses and, worse still, cut off a munificent benefaction. George Clarke was so angry at "these arbitrary and partial proceedings" as the climax to the prolonged intestinal struggle, that he altered his will and left the bulk of his money to Worcester College, significantly providing that there should be no appeal from a Fellowship election "to any Visitor."

In 1726 Gardiner died. If, as he sincerely thought, he left the constitution of All Souls in ruins, he had done his best to bury the shattered fragments in a splendid architectural expansion. The most permanent memorial of his untiring energy must be found in the reconstruction of the College buildings planned and half finished during his Wardenship. With the most beautiful addition—the Codrington Library—Gardiner,

of course, had little to do but ensure the execution of so noble a bequest. As the window in the present Hall shows, Christopher Codrington combined in his varied career the romance of the Elizabethan age with the cultured munificence and piety of the mediæval benefactors. An undergraduate of Christchurch he was elected to his Fellowship in All Souls in 1690, where

"bred up in that fruitful seminary of good literature," he added "to the storing of his understanding with logic, history, the learned and modern languages, poetry, physick, and Divinity."

"*Vehementer doctus*" as Young called him, he was also a man of action, conspicuous for his gallantry in Flanders and his Governorship of the West Indies. While in All Souls he "was a great amasser of books," which explains his friendship with his College contemporaries Creech, Tanner, Young, and Clarke, and outside All Souls, Radcliffe, Addison and the other wits of the Augustan age. We find him to the front in the entertainment to King William in Oxford (1695).

"Mr. Codrington of All Souls," says an account in the Ballard MSS., "in a very elegant oration expressed the public joy of the University to see his Majesty," who was presented "by the Chancellor on his knees with a large English Bible and Prayer Book, and the cutts of ye University with a pair of gold-fringed gloves." On Sunday there was in St. Mary's "an excellent sermon preached" by Warden Finch (!), and then "The Chancellor and such of ye Nobility and gentry as staid in town were entertained at a dinner in the publick Hall of All Souls College."*

* See for fuller details, Barrows' *Worthies of All Souls*, p. 331.

On his death in 1710 Codrington (besides founding Barbadoes College) left All Souls £10,000 in money and books to the value of £6000, to which "noble bounty," as the Archbishop truly expressed it, the present Library owes its existence. In 1716 his remains were brought over to the College chapel, where a plain slab with the single word "Codrington" marks their final resting place.

Codrington's legacy opportunely quickened the spirit of expansion. In 1703 Clarke had offered to provide new Lodgings for the Warden on condition that he should himself occupy them till his death. The offer was accepted with grateful enthusiasm, and by 1706 the present Warden's house was completed on a site acquired by the College, at "whose expence" also "the single pile of Buildings joining the old Lodgings to the New was built." The old Lodgings were then converted into rooms for the Fellows and continue so to-day.

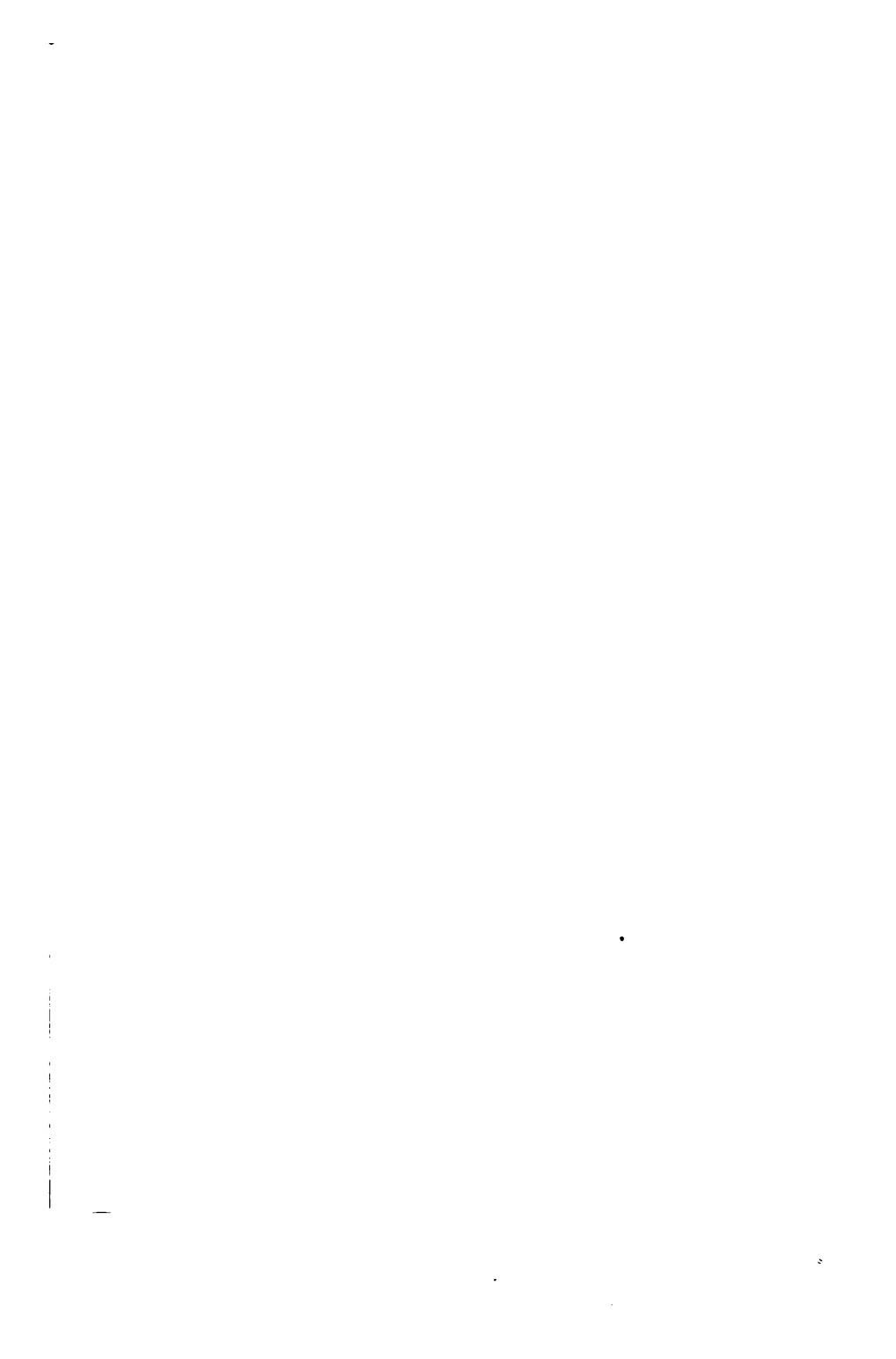
Gardiner meanwhile had been sedulously collecting subscriptions for a final restoration of the chapel. Contributing largely himself, he was generously assisted by Clarke, Portman, Dodington Grevile and Webb. To Sir J. Thornhill the work was entrusted, and his "celebrated hand" replaced Streater's fresco with a new painting, "the apotheosis of Chichele," and "adorned" the restored ceiling, "the Urns" on the altar steps, and the walls with fresh designs. Clarke erected on the space below Thornhill's composition "a handsome marble entablature supported by two pillars" between which was inserted in 1770 the picture "*Noli Me Tangere*" (now by the south door of the ante-chapel).



From a photograph by the

THE CODRINGTON LIBRARY

[Oxford Camera Club



This a former porter always exhibited to visitors as by Raphael, the real author being Raphael Mengs,* "a celebrated painter now at Madrid," who was paid, and lavishly, 300 guineas for his work. The screen designed by Thornhill cost the College £400, and there it remains to this day, a handsome classical anachronism in a chapel which not even the eighteenth century in its passion for "Italianisation" could wholly rob of its "barbarous" Gothic character. Those who have seen the "Wren Portfolio" will wonder why the beautiful drawing for a screen, with Chichele's arms worked into it was neglected, but the records offer no explanation. Altogether the chapel assumed the form, so stimulating to the admiration of the age which produced it, which it kept until the final restoration of 1872.

The building spirit had now got All Souls in its grip and a comprehensive scheme was framed, partly necessitated by the plans for the new Library, which involved the pulling down of the old cloisters, and before the century was out, gave the College the new great Quad-

* It was this "fine painting of Mengs" of which Pastor Moritz in the notes of his *Travels* (1782) remarked, "the longer it is looked at the more it is admired," (!) and at the sight of which his guide, Mr. Maud, "showed far more sensibility than I thought him possessed of. He said that notwithstanding he saw that painting almost daily, he never saw it without being much affected." Mr. Maud, we learn earlier, was one of the chaplains of the College, and the Pastor made his acquaintance at a carousal at the Mitre, where "they drank large draughts to my health in strong ale," and discussed theology and the Bible "opened on the table among all the beer jugs." "At last," notes the Pastor, "when morning drew near Mr. Maud suddenly exclaimed, 'D— me, I must read prayers this morning at All Souls!'" and ran off. No wonder the Pastor woke with "so dreadful a headache from the copious and numerous toasts of my olly and reverend friends," that he "could not possibly get up."

rangle, a new Hall, and a new Cloister and Buttery. The protagonists of this movement were *George Clarke*, and *Sir Nathaniel Lloyd*. Clarke owed his Fellowship to the contested election of 1680, and his subsequent career amply confirmed the criticism, "that he had shown brisk parts in the examination." He retained his Fellowship for fifty-six years till his death in 1737, and it is difficult to say whether his public or college career reveals best his indefatigable energies. A Tory though no Jacobite, he was a minister of all five sovereigns from Charles II. to Anne, and five times was returned a Burgess for the University. A mass of correspondence and papers bears copious testimony to his prominence in every department of the College life, while his separate benefactions to All Souls would make a long list. The brunt of the architectural alterations fell on his willing shoulders; to his trained judgment and wide experience everything is submitted; he criticises, corrects, rejects the architects' plans, even draws designs himself. And All Souls had only its factiousness to thank that it did not owe more even than it does to the honoured name of George Clarke. Lloyd is a worthy second in distinction as well as loyalty to his College. His father, Richard Lloyd, who had been a Judge of the Admiralty for twenty years, was also a Fellow, and his son followed his profession, first as advocate in Doctors' Commons "with great reputation and emolument," then as Advocate-General to Queen Anne. In 1710 he became Master of Trinity Hall, Cambridge, finally resigning in 1735 and died in 1741. A generous donor to the Building Fund, Lloyd played a prominent part in arranging and directing the business

and architectural details connected with Codrington's legacy. But it is pleasantest to remember him as setting to his colleagues in this epoch of ignoble wrangling an example of sweet reasonableness that was sorely needed. He may have been liable to "impressions," but he certainly was, in Bishop Tanner's words, "a very worthy honest man." In short, the cordial co-operation of Gardiner, Lloyd and Clarke in promoting the material prosperity of All Souls almost drives the miserable internal quarrels to the realm of those old unhappy far-off things we would gladly forget.

Nor does the Register lack other names that deserve a word. William *Guisse*, elected in 1674, continued to reside in Oxford "in great esteem for his oriental learning," resigning in 1680, and dying in 1683. Judging by his reputation Oxford lost in him the promise of a great *savant*, whose erudition now lies buried in some of the MSS. of the Marshian collection in the Bodleian.

Dr. *Godolphin* (1668) became Provost of Eton by Royal Mandate in 1695, where his Provostship was marked by generous benefactions, though his biographer in the *Dictionary of National Biography* omits to mention his equally generous gifts to the Building Fund of All Souls. As Dean of St. Paul's from 1707 to 1726, it is curious to note that he apparently did no little to thwart the plans of a fellow collegian, Wren. John *Norris*, who had entered the College by Visitatorial nomination at the fiercely contested election of 1680, amply justified later the verdict on his work, "a very excellent scholar, a very good Grecian and philosopher." The famous line in his poem *The Parting*, "Angels' visits

short and bright " adopted by Campbell has won him a reflected immortality, which even his Rectorship of Bemerton, a household name from its association with the saintly George Herbert, might have failed to do. But Norris has also his place in the history of British philosophy, for by his writings, especially his *Essay towards the Theory of an Ideal and Intelligible World*, he is in Mr. Sidney Lee's phrase " the solitary representative of Malebranche's theories in England, and the last offshoot " of the great Cambridge Platonists.

Thomas Creech, " the poet, whose very words " as well as his classical translation, and his edition of Lucretius, are now forgotten, had " given singular proof of his classical learning and philosophy before his examiners " (1683), and even the jaundiced Hearne admits " he was an excellent scholar and was for his merits made Fellow of All Souls." Later he was the friend of Codrington " and one of the most applauded wits of the day." The fame of Thomas Tanner, Bishop of St. Asaph's, as an untiring researcher and a mighty antiquary, is established beyond dispute by his *Notitia Monastica*, his edition of Wood's *Athenæ Oxonienses* and the *Bibliotheca Britannico-Hibernica*, published after death in 1735. The dedication of the first edition of the *Notitia* to Warden Finch records his gratitude to the College which links his name with that of John Leland. Matthew Tindal, notorious in his own day, has remained notorious ever since. Elected in 1675 he began with strong Romanist tendencies and " was a great frequenter of Obadiah Walker's Club."

" He declared himself a Papist," writes Wood, " about 1687, but reading Dr. Isaac Barrow his book and by con-

version with some of his hous he denied the Popish religion and took the sacrament in the Coll. Chapel 1688, notwithstanding he held a candle in Dean Massyes chapel on Candlemas Day."

Though he became an advocate of Doctors' Commons in 1685, and presently grew "a mighty Williamite," he speedily devoted himself to theological polemics, and in 1706 *The Rights of the Christian Church* had the effect he intended, viz., "to make the clergy mad." It is still more amusing to read that Dr. Buckler was of opinion "that the first marks of infidelity which showed themselves in the famous Dr. Tindal were his speaking disrespectfully of the Mallard."

His championship of the Deist School, of which he was recognised as one of the most formidable advocates was crowned by the publication of his *Christianity as old as the Creation* (1730). These and other writings, issued from the shelter of the College walls, caused no little scandal, and brought All Souls into the full stream of the controversy. Tindal's morals, as his enemies readily noted, were none of the best; as early as 1680 *the Punishment Book* shows that he had to be sharply admonished for immorality, and was required "to give a better proof of his life and manners." Throughout he seems to have been a thorn in the flesh of Warden Gardiner (who singles him out as a leader of "the faction who raised the ill blood against him"), and strove to abolish the necessity of taking Orders. His influence on his colleagues was remarkable, for he soon gathered round him a group, dubbed from its opinions "The Tindallites," to which Blencowe and Sedgwick Harrison belonged, while another of the same

band, Fisher Littleton, in 1709 was solemnly obliged to record his public confession

"that incontinency is a sin and that the sole power of this nation both ecclesiasticall and civill is in the Queen and Both Houses of Parliament and not in the People."

Tindal himself carried his controversies into the Common Room, where "his abstemiousness in drink gave him no small advantage over those he discoursed with." It is not surprising then that the Register, which contains in its frequently malicious comments at this period proof of the divisions amongst the Fellows, has written against his name "*vir Christianus dicendus*," though it adds with unusual charity, "*mira animi constantia et infidelitatis firmitate*." Tindall then as controversy incarnate not unaptly epitomises the epoch of storm and stress which Warden Gardiner's death closed.

CHAPTER IX

ALL SOULS IN THE EIGHTEENTH CENTURY

Wardens : Stephen Niblett, 1726 ; John Viscount Tracy, 1766 ;
Edmund Isham, 1793 : Hon. Edward Legge, 1817.

THE annals of All Souls for the century and a half after Warden Gardiner's death must be pronounced commonplace and dull ; and the dulness of these years is inevitably deepened by their position midway between a century, so fertile in surprising *dénouements*, and the epoch of exciting reform, the commencement of which makes 1852 a memorable date. The problems whose solution had plunged the Society in such painful travail had now received their quietus : the violence of party spirit rapidly evaporated, and the College drifted unchecked into the blessed euthanasia of eighteenth century Oxford, which only emphasised the results of the Settlement of 1710 and 1719. The College of Chichele's Statutes, intended to be largely clerical, strictly residential, and devoted mainly to the promotion of theology, Civil and Canon Law, now definitely emerges as a College preponderatingly lay, the Jurists in which are largely absorbed by the study and practice of the Common Law, and the distinctive characteristic

of whose members as a whole is non-residence. Whether if Warden Gardiner had had his way, All Souls would have been able to free itself from the accumulated deposit of custom and tradition, enforced by the intellectual apathy of eighteenth-century Oxford, may well be doubted; and it may be seriously questioned whether the literal enforcement of the original constitution would not have created as great an "anomaly," and one as liable to "abuses," as its abrogation is held to have done. Gardiner, however, was right when he asserted that the really important changes were not effected "without the privity of the Visitors," on whom the responsibility largely rests. For the Injunctions of 1710 and 1719 complete as regards the Visitatorial powers the fusion of the right to declare, with the right to make, law. Nor does the responsibility of the Visitors end with 1719. For the next 135 years the "licences of absence, regularly entered in a book kept by the Warden," the "dispensations" from taking Orders, the final freeing of the Jurists from "obsolete restrictions," the wholesale admission of the Founder's kin, the raising of the property qualification, are based continuously on authoritative Visitatorial Decretals; in a word the chief features of the College as a college—its non-residence, its secularisation, its final limitation to a particular circle of privileged families—are almost more the work of the Visitors than the College itself. From 1726 to 1852 All Souls lives under a constitution made, interpreted, and enforced from Lambeth.

The first fifty years of this period are almost wholly engrossed by the duty of completing the comprehensive scheme of architectural reconstruction. The Codrington-

ton Library marks the start. The site for it and for the quadrangle of which it was to be the northern boundary was acquired by the purchase of tenements in Kittin Court, now covered by the west end, and an exchange of land with New College by which All Souls gained the present Fellows' Garden to the east. On June 19, 1716, Codrington's remains were interred in the chapel after a funeral oration by Digby Cotes, the Public Orator, and on June 20 the foundation stone was laid when Edward Young, *poeta celeberrimus*, pronounced a eulogy. Both speeches are quite wrongly characterised by Hearne "as wretched stuff, neither Latin nor sense." According to the College plan the Library was to be built "after the model of the chapel." Hawkesmoor, "the scholar and domestic clerk of Wren," was the architect, working under the close "supervision" of Clarke and Lloyd. After Clarke's death there was a lull, and the final completion in 1756 was largely due to the devoted energy of Blackstone. Under his care the ornamentation was finished and the statue of Codrington "habited in the Roman Sagum" (by Sir H. Cheere) placed to dominate the whole. The total cost was £12,101 5s. 0d. Equally with the chapel of to-day, the Library has become one of the unique sights in Oxford, for Hawkesmoor, Clarke, Lloyd and Blackstone have combined to produce perhaps the finest building in the Italian style in England, a description of whose austere yet imposing beauty must be either inadequate or superfluous. To see it is to love it, to love it is a liberal education.*

* When the Codrington Library and Great Quadrangle were planned, the College was required to observe the ancient stipulation

The "turning of the Hall" is the next project. The old Hall was pulled down, and in 1729 the present classical building took its place, but instead of running at right angles, the plan of the new great quadrangle required that it should continue the line of the chapel wall, Hall and Chapel being intended to balance on the south the Codrington Library to the north. A handsome shield over the entrance, now much defaced, perpetuated in the arms of Tanner, Bishop of St. Asaph, R. Willis, Bishop of Winchester, Lord Chancellor Talbot, and Dodington Greville the chief contributors in a list which also included Clarke, who gave the wainscoting and the chimney-piece, over which Thornhill painted "a large piece of sacred history." Quite recently the effectiveness of the whole has been wonderfully enhanced by the addition of stained glass windows to six "Worthies of All Souls"—Wren, Codrington, Lord Talbot of Hensol, Blackstone, Heber and the Marquis of Salisbury—benefactions from Fellows now living.

The completion of the great quadrangle with its "piazza," cloisters, "dovecote" gateway on the west side, and twin towers on the east, took a longer time, and involved serious sacrifices. In 1713 "The Act Suppers" are abolished, in 1716 "the money from gaudy's and sconces," in 1726 "all the gaudies, save

"to let the ministers and churchwardens of St. Mary's on the day of Ascension to enter the College through a door on the west side, in order to make their usual perambulations," *i.e.*, "beat the bounds." This custom is still faithfully observed on Ascension Day, and, after "the bounds" have been duly "beaten" with no little merriment and shouting by the choir boys, "the company" is entertained by the College at a breakfast in the Hall.

the four on Sacrament Days," are devoted to the Building Fund. In 1732 one more feature of the Founder's College disappeared with the sale of the "College horses," and the money and previous annual outlay "were under the stile of stabulum" spent on the new buildings; yet without the lavish aid from the Fellows the scheme must have been a failure. The curious can now, by the various tablets and inscriptions with their arms, trace the origin of each portion. Lloyd, with £1350, provided for the piece between the Hall and the Towers. The Towers themselves came from Col. Stewart, M.P., H. Godolphin, Provost of Eton, and the Duke of Chandos; the Cloister and Gateway from Dodington Greville, Lord Carlton, R. Hill, T. Palmer, and Sir P. Mews; most singular of all in 1720, "the celebrated" Duke of Wharton, though not a Fellow, offered £1183, a benefaction which almost, like Wharton himself, became "the scorn and wonder of our days," for on his death the College had the greatest difficulty in securing from his embarrassed estate the promised sum. By 1751, however, Blackstone was successful, and his Grace's memory is now perpetuated by "the Wharton Buildings," which join the Towers to the east end of the Library. Hawkesmoor was the architect of the whole, though Clarke deserves perhaps the title of co-designer, and on his work, "the earliest example of modern Gothic style," the specialists have formed verdicts of a most contradictory kind from unqualified praise to sweeping denunciation. Yet those who have lived with Hawkesmoor's designs would probably agree with Walpole's well-known opinion

"that the architect has blundered into a picturesque scenery not void of grandeur especially if seen thro' the gate that leads from the Schools."

And as to the beauty of the ironwork in the gate itself there can be no question. To Clarke also All Souls owes yet another signal service. In the general restoration there had been a plan to "Italianise" the front of the College, including the erection of two, if not three, more towers and the remodelling of the whole. Clarke's sound judgment got the scheme rejected. And Hawkesmoor himself, to his honour, wrote strongly against any idea of tampering with the fifteenth-century Front Quadrangle.

"What I am offering at in this article," are his words, "is for the preservation of antient durable Public buildings that are strong and usefull instead of erecting new, fantastical, perishable trash, or altering and wounding the old by unskillful knavish workmen."

Golden words indeed, and reaching far beyond the architect's own day. The new Buttery with its handsome groined stucco ceiling practically concluded the great scheme of reconstruction. As if in memory of ancient ceremonies and revels in the "wee hours ayont the twal" a medallion effigy of *The Mallard* was placed, in 1789, above the arched entrance; it came from "a Gothick Pavillion in the Garden," destroyed then because of its "decayed state."

In the internal history of these years but one constitutional question of importance—the serious claim of the "Founder's Kin"—demands detailed notice. By the original statutes, preference for the *consanguinei* or



From a photograph by the

THE GREAT QUADRANGLE

[Oxford Camera Club]

Founder's kin was enjoined, but for nearly two centuries the College practically evaded the direction. Between 1457 and 1611, out of some 200 elections, only nineteen are entered in the Register under this head. Abbot is the first Visitor who exercises any continuous pressure in the matter, repeatedly reminding the Fellows "that they are bound to prefer the Founder's blood." And there is a strange sadness in the fact that Laud's last letter to All Souls, written from the Tower in 1641 "in the midst of the great affliction" of his imprisonment, is in favour of a "Founder's kinsman" "if there is no just and statutable exception against it." The "Great Rebellion" pushed the clause once more into the background, to be followed by a persistent revival after the Restoration.

In 1685 "the Fellows, startled at the multitude of Pretenders," would have boldly rejected Edward Digges, though his ancestor had been accepted as a *consanguineus* in 1629, had not Warden Jeames advised his admission "in these ticklish times." Searching investigations began to be made, and it was pointed out at this time that in Hovenden's day the College had refused to accept as proof "bare pedigrees on the mere testimony of the Heralds," an argument fortified by the action of our friend Leopold Finch, "who produced a pedigree, drawn by one of the heralds, who told him that if that would not serve he would give him one that should." Constant disputes as to the principle arose, especially on the controverted question as to the number of degrees to which the claim could be extended, until Wake's decision in Wood's case (p. 167) seemed to decide the matter. But the College refused to accept the defeat, and in 1728 and

1732 rejected the two sons of Mr. Anstis, Garter King at Arms, which occasioned a *cause célèbre*, a prolix controversy and Hearn's bitter comment on "the Mohockian Whigs," "that oaths are become too feeble to bind, and the notion of Judgment is a scarecrow." The problem dragged on; according to the Register between 1611 and 1740 thirty, between 1700 and 1750 only twelve Founder's kinsmen are elected. But now a great change takes place. Between 1757 and 1777 thirty-nine vacancies out of fifty-eight are filled from those who could prove their claims as *consanguinei*, the rule being that pedigrees must be deposited six weeks before the election, to allow of examination. In 1761 Archbishop Secker, though appealed to, "there being no existing case, declined to determine whether the collateral kindred of the Founder should be limited." The situation was fast becoming intolerable; and in 1762 Blackstone republished his *Treatise on Collateral Consanguinity*, in which he argued for the fixing of the limit of kinship as in the Canon Law, to the seventh degree. Finally, in 1777, on Blackstone's advice, Archbishop Cornwallis issued an important Injunction by which (1) the College need not have in its body more than ten Founder's kinsmen, but with liberty if it pleased to choose a larger number; (2) the proof was not necessarily to be legal, but "such as to satisfy the electors in their consciences." The College received the Injunction with enthusiasm, recording its thanks "for the protection of so kind and indulgent a Visitor," and, on a great appeal in 1792, its authority was confirmed by Archbishop Moore. The importance of the problem is not confined to the

republishing of Blackstone's famous essay or the drawing up of Dr. Buckler's well known genealogical treatise, *The Stemmata Chicheleiana*, for the working of the system of election was chiefly responsible for the gradual limitation of a Fellowship in All Souls to "a charmed circle of county families." As the Commissioners of 1852 remarked, "the claim introduced into All Souls many members of ancient families who might naturally wish to perpetuate in the College persons of their own condition of life."

And a glance at the Register between 1790 and 1852 reveals how the changes are rung on a narrowed list of privileged names, for at the beginning of this century the College returned to the practice prior to Cornwallis's Injunction, as it had a legal right to do, with the result "that the claims of consanguinity," said Warden Sneyd in 1852, "is now so widely extended that there is hardly a family of any antiquity which it does not include." Yet if the predominance of the Founder's kin more than completed the effects of the Settlement of 1719 in emphasising absenteeism and the atrophy of educational functions, the strong spirit of corporate loyalty which is the best of the College traditions to-day may fairly be regarded as its legacy to the modern era.

Apart from this long disputed question there is little of general interest to detain the annalist. The College records shrivel down to monotonous entries of leases and "fines," entries of gifts and congratulations, from which at best a broken mosaic could be pieced together. The charities, as previously, continue to be a curious index to political and social opinion. Towards the end of the seventeenth century there are repeated donations

to the "Ejected Episcopal Ministers in Scotland," which, if combined with the contribution in 1694 towards "the redemption of slaves and captives by Algerine pirates," and "the persecuted Protestant University of Dobritzen" (1756), show a wholesome catholicity of sentiment. In 1762 the bestowal of ten guineas "on the Colleges of New York and Philadelphia" is dramatically confronted by "thirty guineas" in 1775 "for those now on American service." Indeed the wars always evoke prompt liberality. Gifts to the French clergy (1792), and French *émigrés* (1793), jostle along with "flannel waistcoats for the Duke of York's army," and subscriptions "for the service of the state," "arms and accoutrements for the University corps" to keep out Napoleon, culminating in donations "to those slain at Salamanca," and "the brave men killed under the illustrious Wellington in the signal victory at Waterloo."

The organisation of the Codrington Library is begun in 1716 by the drawing up of the "Codrington Orders," and completed by the purchase, in 1744, of an estate at Lewknor, the proceeds of which are to be reserved for the buying of books. At the same time the old Library was turned into a Fellows' apartment "fitted up in a very elegant manner in the Gothic taste, and deservedly esteemed one of the curiosities of the town." The rule of 1720 that the tenure of a University Professorship was compatible with the continuance of a Fellowship enabled Blackstone, notably amongst others, to occupy the Vinerian chair without forfeiting his membership in All Souls. More important is the record of the College thanks, in 1757, to the Visitor

"for his being pleased to take off the Prohibition of the Jurist Fellows from practising in Doctors Commons,"

which gave legal sanction to an undeniable custom. In 1780 there is a very remarkable notice, to wit :

"That Mr. Egerton should have his name in the Buttery Book, eat with the Fellows in the Hall, he paying his Battels as *Commoners of other colleges do.*"

The absence of any other similar entries points to this as a graceful compliment to an agreeable companion. At any rate, Mr. Egerton enjoys the unique distinction of having begun and ended what might have been a revolution.

The social life of a College mainly non-residential is naturally deficient in records. The curious may be glad to know that in 1726 "oyle lamps" replaced lanterns as a means of lighting, that All Souls supplied members to the *Constitution Club* which met at *The King's Head*, that Horseman's Coffee-house replaced "the tavern over the way" as the favourite resort, unless we adopt the assertion of *Terræ Filius* that *The Three Tuns* was "more to their liking." "In All Souls," he adds, "live your Smarts, your gallant gentlemen ; you would think them all bodies and no souls," and he goes on to rank some of them with members of St. John's as persons of questionable morals.

But what *Terræ Filius* says is not always evidence, even though he be backed by the *ipse dixit* of Lord Campbell, who seriously thought that Anthony Henley, Lord Chancellor Northington, was elected "because of his powers to amuse" (1727), and that Lord Chancellor Talbot, "though known to be a Whig, and, what was

more alarming, more than *mediocriter doctus*," owed his Fellowship in 1705 to "his agreeable manners." In his choice of phrase Lord Campbell is of course alluding to the traditional view of the College crystallised in the famous aphorism, to be first found perhaps in Fuller's Church History, "that the Fellows of All Souls *are bound by their statutes to be bene nati, splendide vestiti et mediocriter docti*." Like most academic *bon mots*, much of its virtue lies in the complete absence of a basis of solid fact; for the statutes of Chichele, or indeed of anybody else, do not contain a syllable to justify its point. The prosaic fork of criticism has expelled it half a dozen times in every century, but it recurs and will recur as it did in the days of Baskerville, Chalmers, Murray, and those now living.

The Fellows' Register during the eighteenth century contains a singularly long list of names, many of whose possessors obtained high distinction both in and outside Oxford. But it is remarkable that towards the end of this period, when the grip of the Founder's kin slowly tightened on the College, the percentage of eminent Fellows certainly tends to diminish, and it is perhaps not surprising that in 1782 the *Gentleman's Magazine* contained a plan "for reforming the Universities," one conspicuous feature of which was the proposal that All Souls, "which was useless," should be "abolished." Whether All Souls was "more useless" than other colleges in that era of almost wholesale academic stagnation it would be futile to discuss; it will suffice here to note some of those whose careers helped to shed no little lustre on records which otherwise would be commonplace enough. Two Lord Chancellors claim

the place of honour—Lord *Talbot* of Hensol (1705) and Lord *Northington* (1727); and close after them comes a Chief Justice of the Common Pleas, Sir J. *Willes* (1708). Dignitaries of the Church are even more plentiful than eminent lawyers—Richard *Trevor* (1727), Bishop of St. David's and Durham; John *Thomas* (1720), successively Bishop of Peterborough, Salisbury, and Winchester; Brownlow *North* (1763), Bishop of Winchester; E. *Vernon Harcourt*, Archbishop of York (1778); and Richard *Bagot* (1804), Bishop of Oxford, prepare the way for the two great missionary bishops of the next century—the devoted C. J. *Stewart* (1799), of Quebec, and Reginald *Heber* (1804), of Calcutta, the poet-biographer of Jeremy Taylor, whose life he dedicated to Warden *Legge* (1789), who was also Bishop of Oxford. To these may be added Sir J. *Newbolt* (1794), Chief Justice of Madras; Sir Charles *Vaughan* (1801), the Ambassador; and the Right Hon. Stephen *Lushington* (1802), whose twenty-nine years of service proved his right to be regarded as amongst the greatest judges of the Admiralty Court, all of whom deserve, if space permitted, more than mere mention. In the realm of poetry Edward *Young*, the rector of Welwyn, "that fellow who by continually pestering Matthew Tindal gave him more trouble than all the other boys put together," achieved immortality in eighteenth-century eyes by his authorship of *The Night Thoughts*. Amongst the Oxford dignitaries Sedgwick *Harrison*, Camden Professor and a "Tindalite," and Digby *Cotes*, the Public Orator, are now only names. Dr. *Bertie*, Sedleian Professor of Natural Philosophy, who very nearly became Warden in 1726,



Acta in 1746, and marks the beginning of his ascendancy in College affairs, which lasted for two and twenty years. He came at the right time to inherit the mantle of George Clarke, whom he surpasses in the extent and variety of his extraordinary labours. Principal of New Inn Hall and Assessor in the Vice-Chancellor's Court, he was also Bursar for ten years, during which he organised the system of book-keeping; and of his masterly knowledge of the bafflingly complex minutiae of his office he has left the best proof in his *Dissertation on the Accounts of All Souls*,* drawn up for the benefit of his friend and successor Dr. Buckler, wherein

"You may frame a complete idea of that old English system of hospitable economy for which our ancestors were so justly famous."

From the first his colleagues take advantage of his inexhaustible power of work, relying especially on his legal advice, and he very properly represents All Souls in the appeal to the Visitor in 1672; while his erudition and essay on *Collateral Consanguinity* formed the basis of Cornwallis's Injunction as already noted. Yet engrossing as were his duties, he found time to amass the material for his classic *Commentaries on the Laws of England*, "invigorated and supported in the fatigue by the temperate use of a bottle of port." Thanks to Professor Holland, there now hangs in the Reading Room of the Library the notice of June 23, 1753, announcing his memorable "Course of Lectures," and

* This has been published for the Roxburgh Club (1898), with a preface by the present Vice-Chancellor and Warden, Sir W. R. Anson.

the *Acta* for 1754 record "that Dr. Blackstone may have the use of the Hall to read his lectures in," those lectures which inspired Mr. Viner to found the chair which bears his name, and of which Blackstone was rightly the first occupant. Amongst his audience later was the precocious undergraduate Jeremy Bentham, who describes the Professor as "a formal, precise, and affected lecturer, cold, reserved, wary, and exhibiting a frigid pride," as he well might. The College congratulations in 1763 and 1770 mark his further promotion as Queen's Solicitor-General and his Judgeship in the Court of Common Pleas. His removal from All Souls left a gap it was impossible to fill. How he had impressed his contemporaries in College is best seen in the committee appointed on his death in 1780 to devise a suitable testimony to his "memory and services," which resulted in the statue by Bacon, "representing him sitting in his Judge's robes, his right hand leaning on his *Book of Commentaries*, and holding in his left *Magna Carta*, of which he published the most correct edition." This, after adorning the Hall and the ante-chapel successively, was in 1872 awarded its last and fittest resting-place at the eastern end of the Codrington Library, which owed so much to his loving care.

CHAPTER X

ALL SOULS IN THE NINETEENTH CENTURY

Wardens: Hon. Edward Legge, 1817; Lewis Sneyd, 1827; Francis K. Leighton, 1858; Sir William Reynell Anson, 1881.

"AN epoch of internal reform quickened by Royal Commissions"—such seems to be the formula descriptive of the history of All Souls in the present century. Fifty years, however, elapse before the movement begins which justifies the phrase; and from 1800 to 1850 the College continued to exhibit the well-defined characteristics touched on in the last chapter. The records for this period are even more meagre, and it will suffice to note that, in 1818, a Visitor's Injunction sanctioned the "augmentation of the present inadequate commons" from 5*d.* to 2*s.* 6*d.*; that in 1826 and 1827 an extensive scheme of refacing the front of the College and the Warden's Lodgings was executed; that the Founder's tomb at Canterbury, after a long interval of neglect, was once more "cleaned and repaired"; and that between 1815 and 1840 a splendid start was made with the collection of portraits now in the Hall. Those notably of Wren, Sydenham, Linacre, and Jeremy Taylor were welcome additions to the considerable list

of portly bishops and stately lawyers who already added dignity to the walls. We so commonly think of All Souls at this time in the words of a contemporary "as a pleasant place to dine at," that it is refreshing to find Reginald Heber writing, after his election in 1806, "I am delightfully situated in All Souls; the very air of the place breathes study."

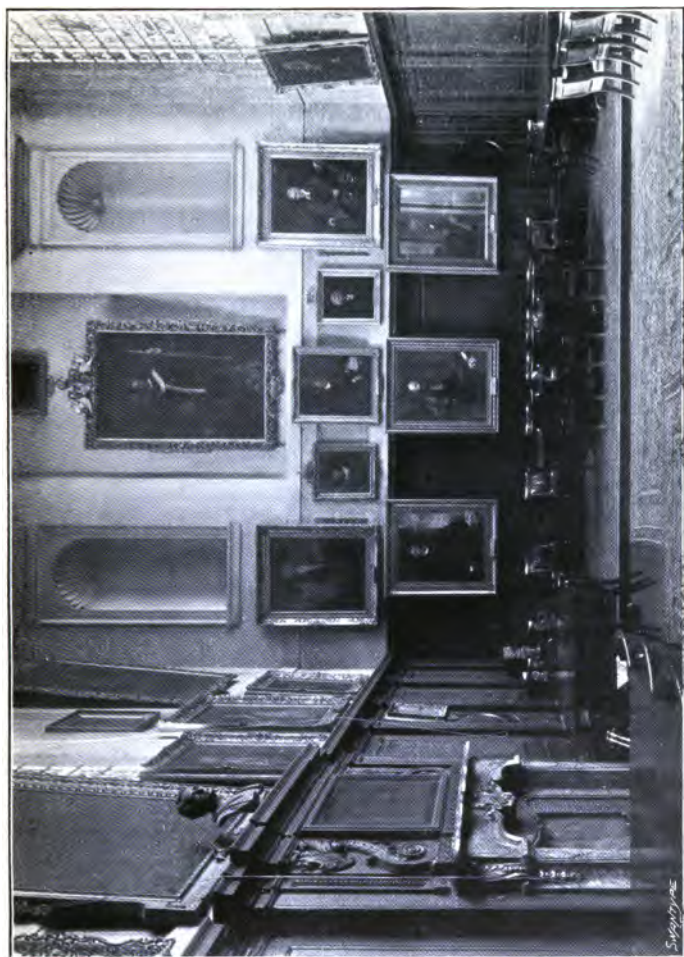
And it is to the undergraduate Heber that we owe the oft-quoted account of the Mallard ceremony:

"I write under the bondage of a very severe cold," are his words, "which I caught by getting out of bed at four in the morning to see the celebration of the famous All Souls Mallard Feast. . . . I had a full view of the *Lord Mallard* and about forty Fellows in a kind of procession on the Library roof, with immense lighted torches which had a singular effect. I know not if their orgies were overlooked by any uninitiated eyes except my own; but I am sure that all who had the gift must have been awakened by the manner in which they thundered their chorus, 'O by the blood of King Edward.' I own I am of opinion that these remnants of Gothicism tend very much to keep us in a sound consistent track."

From another distinguished Fellow, Sir C. *Murray*, whose astonishingly varied career as a diplomatist and politician recalls the Arabian Nights Tale of Anthony Sherley's life, we also get a glimpse of another aspect of the College. Wishing to stand as a candidate for a Fellowship, Murray was told he knew neither logic nor theology.

"The Dean," he wrote,* "went every day for long walks and I said to him, 'If you will allow me, sir, to accompany

* *The Life of Sir C. Murray*, by Sir H. Maxwell, p. 62.



From a photograph by the

THE HALL

[Oxford Camera Club

you on your walks I could learn logic from you then.' He agreed and that was how I learned all the logic I ever knew—I never opened a book. The schools came off and I went up merely to pass. . . . When my age was objected to I claimed my privilege as son of a Peer and was elected. In those days the reading colleges said of us at All Souls '*Bene nati, bene vestiti, moderate docti.*' This is changed nowadays so far as the learning goes."

In 1837 (the year of the celebration of the quatercentenary of the foundation of the College) there shyly peeps out the first sign of the dawning era of reform in the appointment of a Committee on November 3:

"To examine the statutes and charters and inquire how far the long established customs are consistent therewith."

The report was studiously neutral, for after an exhaustive analysis of the evolution of the constitution, it "refuses to pronounce on the propriety or impropriety" of non-residence, "dispensations" from Orders, conversation in English, the admission of the Founder's kin, &c. Is it a coincidence, or is there a causal connection between the appointment of this committee and the record of the first sale of lands "in the parish of Hammersmith to the Birmingham, Bristol and Thames Railroad?"

Fourteen years elapse, and then in 1852 All Souls is confronted by a University Commission. Unlike some other colleges, it made no attempt to burke inquiry, and from the lengthy and candid evidence of Warden Sneyd a few supplementary points may be culled. The value of a Fellowship is shown to be comparatively small, that of a Doctor being £130, a Master of Arts and a

B.C.L. £92, while that of a Bachelor of Arts was only worth £75 10s. There were at the time more than thirty Fellows who had "proved their consanguinity"; all the Fellows were "required to assemble" four times in the year, at Christmas, Easter, Whitsuntide and All Souls Day; though the "dispensations" from residence and taking Orders were "widely claimed," they were never granted without the approval of the Warden and officers under the Visitor's sanction; and every Fellow was compelled to keep the University terms necessary for the degrees enjoined by the Statutes; "the Fellows are not in the habit of taking pupils," and apart from "the four Bible clerks on the foundation and not necessarily considered as undergraduates," though their education is provided by a Tutor appointed by the College, "the admission of undergraduates would be impossible from want of room since the buildings are not sufficiently capacious to hold even all the Fellows at the same time."

The general policy of the commissioners is clearly summarised in their wish

"To restore so noble an institution to the cause of learning and education without altogether sacrificing the peculiar character which now belongs to All Souls," and they agree, "that neither the University nor the College would be benefited by the general enforcement of habitual residence."

The result of these principles was the promulgation, in 1858, of the constitution known as "The Ordinances," by which the specially "medieval" characteristics of Chichele's Statutes that still remained were eliminated.

The Fellows were freed from the legal obligation to reside, to study exclusively Civil and Canon Law, to prefer the Founder's kinsmen, to reserve the surplus for the "common purposes of the College," to speak Latin or hear the Bible read in Hall, "and many other enactments now long fallen into disuse," and with them went all restrictions as to age, birth, income and the necessity of taking Orders. In these respects the Commissioners simply made "long established custom" statutory, and so virtually completed the settlement of 1710 and 1719. The Fellowships were next reorganised. Ten were suppressed to create two new Professorships in International Law and Modern History, to which the title "Chichele" was fitly given. The remainder, tenable for life but vacated on marriage, were to be filled up from candidates "who had either taken a first class or obtained a University prize or scholarship in the subjects recognised in the University School for the combined studies of Law and Modern History." In this way the original division of the Fellows into two carefully balanced sections of Jurists and Artists, and all the corollaries bound up with this division in Chichele's Statutes was finally obliterated. Henceforward Law and History were definitely annexed to All Souls as subjects of study, though the future careers of the new Fellows were left to be governed by tradition or ambition. No attempt was made to impose—the Professors, of course, excepted—special academic educational duties, nor, beyond ratifying the continuance of the four Bible clerks, to introduce an undergraduate element.

The death of Warden Sneyd in 1858 brings the All Souls of the past to a close, and from what the writer

has heard, the Warden may be regarded as a fine type of the best side of the eighteenth-century life of the College. Lewis Sneyd had been elected a Fellow in 1809, and Warden in 1827; he had therefore been academically rocked, swaddled, and dandled in the as yet unquestioned creed that All Souls was something *sui generis*, distinct from other colleges and from the University. It is characteristic that he never proceeded to his Doctor's degree, took no part in University business, and declined to act as Vice-Chancellor. A member himself of an ancient family, he belonged by right to the All Souls of the Founder's kin and the county houses, and, as its Warden, his ideal was to be the head, in Dr. Ingram's well-known phrase, "of a cultivated aristocratic society." To the "children of the Revolution," to whom such an ideal is as fascinating as the salons of Mayfair when the Whigs were kings, and as unfamiliar, tradition has bequeathed the memory of the easy yet impressive dignity, the stately suavity and that refined courtliness of presence and manners which were the instinct, the secret and the pride of the cultured representatives of the *ancien régime*. And those living can still tell how so keen a critic as the late Master of Balliol would relate with what pleasure and interest he enjoyed the privilege of meeting the Warden of All Souls in the days when Commissions had not begun to trouble, and Boards of Faculties were at rest. There can be little doubt the Commission of 1852 broke Warden Sneyd's heart, though, as his dignified letter to the Commissioners pathetically shows, he was prepared on behalf of the College to bow to the inevitable. Happily death spared him from having to live under

the new system, the spirit of which was alien to all that he knew and valued, and the principles of which he could neither understand nor approve.

The events and the elections of the next twenty-five years are the best justification of the changes introduced. Amongst those whom the College has lost by death it will suffice to note of pre-Commission Fellows, Sir W. *Heathcote* (1823) and Hon. Fellow from 1858, Burgess for the University from 1854–1868, and the Poet Professor Sir Francis *Doyle* (1835). Later elections were those of Earl *Beauchamp* (1852), Alfred *Blomfield* (1855), Bishop of Colchester, the Right Hon. Edward *Stanhope* (1864), Secretary of State for War, Canon T. P. *Garnier* (1863) and Mountague *Bernard*, Professor of International Law, whose life and labours both in and outside the University have been finely summed up by his successor in the striking motto *Le Travail et le Devoir*. Nor can two honorary Fellows be forgotten: S. *Wilberforce* (1871) Bishop of Oxford, and the Right Hon. W. E. *Gladstone* (1858), whose recent residence in the College is a memory as it were of yesterday.

Equally remarkable is the vigorous spirit animating every department of the College life, which gathered force with each succeeding year. In two notable directions it has left a permanent mark in the buildings of All Souls. In 1866, after many anxious discussions, the proposal of one of the Fellows, C. H. Robarts, to add a Reading Room to the Codrington Library was carried out. The immediate objects of this are clearly set forth in Mr. Robart's scheme which was adopted, viz :

- (1) That all members of the University and others should be permitted to use the Reading Room under prescribed

conditions; (2) that in the disposition of the Library Funds special attention should be paid to Law and its cognate subjects, to make that department as perfect as possible."

But the significance of the step lies even deeper. For the building of a reading room and the appropriation of the Library Funds to a specific branch or branches of knowledge was really part of a carefully planned scheme by which each of the colleges was, first, materially to assist the Bodleian, and secondly, to promote the interests of particular studies in the University. In the case of All Souls, by the selection of "Law and its cognate subjects," which the arrangements in 1858 had assigned as primarily its "sphere of influence," no little could be done to deepen and extend the functions of the College as "a place of education and learning." Through "The Codrington," in short, All Souls was to strengthen its *raison d'être* as a unit in the University, and that on the lines of its "historic traditions." The scheme has proved completely successful; the popularity of the Reading Room is the best evidence of the boon it has conferred on students, and in the department of "Law and its cognate subjects" All Souls now is proud to possess a library, unquestionably the best outside London, which in some features might be considered superior to the libraries of the great Inns of Court.

More imposing, outwardly, has been the last of the "restorations" of the Chapel. In 1869 a careful examination had made it clear that "extensive repairs" were imperative, if only to preserve "the internal fabric"; and accordingly, in 1870, it was decided to

undertake "a complete restoration" and to appeal to the generosity of members past and present. The scheme agreed to, and actually begun, was revolutionised by the discovery in 1872 first of the "original fifteenth-century roof," and then of the remains of the original Reredos, the existence of which behind the frescoes of Thornhill and Streater had not been dreamed of in 1869. The discovery caused no little excitement both in and outside Oxford, and even in the prosaic business reports of the Committee can be read the thrill of surprise and delight inspired by this unlooked for revelation. But the discovery was terribly embarrassing; much money had already been spent; to bring the Chapel back to its original form meant an outlay from which the most ardent mediævalist might well shrink. At this point Lord Bathurst saved the situation "by expressing his wish to restore the Reredos at his own expense." A fresh appeal, stimulated by this munificence, was made to Fellows and "Quondams," with the result that, under Sir Gilbert Scott's direction, by 1879 the Chapel took the form so familiar to every visitor to-day. Not merely was the Reredos replaced according to its original design, with its rows of figures in canopied niches, but the *sedilia* on either side of the altar dais were reintroduced, the floor relaid with mosaic, "the hammer beam ceiling" brought back to its pristine dignity and beauty, while new stained-glass windows lined the nave on either side. In the features of the Reredos figures Geflowski the sculptor has "immortalised" many of the then Fellows, while a well-known College joke tells how one member anxious for a like privilege was informed the only vacancy left was

amongst "the lost souls." The magnitude of the restoration as a whole can be judged from the cost. According to the accounts presented in 1879, the total reached the sum of £10,638 18s. 6d., of which £6210 came "from Corporate Funds," and £4428 from benefactions, about one half of which was the gift of Lord Bathurst. Gratitude demands the further statement that in December 1878, by resolution of the College, the name of "William, Earl Bathurst" was added to the roll of benefactors singled out for individual mention in Whitgift's prayer of Thanksgiving offered by the Warden, on behalf of the College, on All Souls Day.

As early as 1865 the air in College began to thicken with schemes to amend, amplify, or wholly reconstruct the Constitution of All Souls, and for the next fifteen years the Fellows were able to revel in the harassing joys of a "Constituent Assembly." *Quot homines tot sententiæ.* To explain and differentiate the numerous proposals with justice to their distinguished promoters would require an encyclopædic Blue-book; yet, if a neutral of a later generation may venture to pronounce, there underlie all of them certain common fundamental aims eminently characteristic of the movement as a whole: (1) To promote more effectively the special "work" of the College—the study of Law and History; (2) in connection with these to graft into the Constitution distinct educational functions; (3) to give increased assistance to the University from "the Corporate Funds"; (4) to maintain the historic and independent existence of All Souls as a College. The various plans reduce themselves broadly into two

radically distinct classes. There is, first, the group of proposals for transforming All Souls into an undergraduate College "more or less of the ordinary type," either by the special foundation of "Chichele Studentships," or combined with the acquisition of additional sites and buildings (*e.g.*, the assimilation of what is now Hertford College was suggested). In clear opposition to this idea stands the group of proposals which would maintain the College as a Society of Graduates, "but provide for the admission of men of eminence in science and literature, a closer connection with the Professoriate, and alterations in the election and tenure of Fellowships."

On December 17, 1874, after prolonged discussion "the undergraduate scheme" was definitely rejected. In its place a code embodying the changes in the second group was then drawn up, but in 1875 the Visitor refused his ratification, on the ground "that there was every probability the reform of All Souls would be dealt with by some comprehensive measure under the sanction of Parliament." Yet in the same year a detailed scheme was brought forward, by which the College was to assist in the education of the "selected candidates for the Civil Service of India." After discussion this was also rejected on December 17, 1875; it was felt it "was the undergraduate scheme in a weaker form," still more that the legislation hinted at by the Visitor was more than imminent. The appointment of the University Commission of 1877 (on which two members of the College sat—Prof. Mountague Bernard and Sir M. W. Ridley, the present Home Secretary) once more threw the constitution of All

Souls into the crucible. Four years of anxious deliberation and constitution-making followed. It would be tedious to relate in detail the complicated stages of the evolution of the present Statutes—how evidence was taken, a code drawn up, the rival schemes heard before the Commissioners, the main principles agreed to, the code embodying it amended by the College and redrafted, then placed before the Commissioners assisted by two representatives from the College (the present Warden and Mr. Compton), further amended, resubmitted to the College, criticised and agreed to, finally redrafted, and lastly, on June 18, 1881, definitely sanctioned. As it had been in 1858, so now in 1881 the sealing of the New Statutes was marked by the death of the Warden (October 13).

Francis Knyvett Leighton as an undergraduate at Magdalen had proved his claims to fine scholarship by winning the University prize for Latin verse in 1826, and had then been elected to his Fellowship in All Souls in 1829. Accordingly like his predecessor he had been trained in the ideas of the old *régime*. Marriage vacated his Fellowship in 1843, and for the seventeen years before he became Warden he held the pleasant living of Harpsden, near Henley-on-Thames, where he became a close friend of Bishop Wilberforce. His election to the Wardenship in 1858 under the new Statutes, "the Ordinances," brought him back to a College and a University which might be said to be starting a new life. He was immediately confronted with the tedious and difficult problem of the Fellowship elections. An examination had always preceded the election to Fellowships, but its scope and character

were not such as to give much assistance in determining the merits of the candidates, nor did the College consider itself bound to treat the examination as of great importance. The new Ordinance required that the intellectual qualifications of the candidates should be tested by an examination in the subjects of the newly constituted Law and Modern History School. The wording of the Ordinance was somewhat elastic, and a vehement controversy arose on an issue which may be stated thus. The conduct of the examination was necessarily entrusted to a Board of Examiners chosen from among the Fellows. Was the College absolutely bound by the report of that Board? If not, how widely might it depart from the report and on what grounds? Clearly the College as a whole and each individual in it was responsible for the election to a Fellowship. Could this responsibility be devolved upon a Board of Examiners? One party desired no doubt to bind the College too closely by an award which might only express the opinions of a committee, reached perhaps by a compromise among its members. Room must be left for difference of opinion as to the value of kinds and degrees of ability and attainment. But there were doubtless also those who wished to use a greater latitude of choice than was compatible with a fair interpretation of the Ordinance.

Dr. Leighton did his best to accommodate the old with the new, but it was no easy task where both sides pressed extreme views and when his own sympathies were with the past. Common sense has solved a difficulty which engaged the attention of two successive Archbishops and their learned Assessors between

1859 and 1865, and disturbed for a while the wonted harmony of the College.

The difficulty had not long been composed when the Vice-Chancellorship devolved upon the Warden in 1866. Loyal to the new order of things which called upon the College to resume its place in the life of the University, he accepted an office which put a heavy strain upon his powers. He made an excellent Vice-Chancellor, and during his term of office had the great pleasure of welcoming as Chancellor, in succession to Lord Derby, a former Fellow of the College. But the strain of work proved too severe. In 1871 his health gave way, and he never completely recovered it. The great work of his Wardenship was the restoration of the Chapel, in which he took the keenest interest and to which he contributed with a liberal hand. In the work of constitution-making, which engrossed All Souls during the last seven years of his life, his health prevented him from taking an active part. He was one of those who thought that the admission of undergraduates was the shortest, and perhaps the best, way out of the difficulties which beset the College. His views on this point were those of the minority, but he never lost the affection and respect even of those who differed from him most strenuously. Coming when past middle life to an Oxford which was fast changing from his recollection of it, and was doing violence to some of his deepest sympathies, he occupied a position which must have been one of much difficulty and trial. Yet he has left the memory of one who presided worthily over the College throughout twenty-four of the most momentous and storm-tossed years in its history.

With the granting of the Royal Assent to the new Statutes All Souls was once more in the possession of a Constitution—one which was really the fruit of the continuous efforts towards reconstruction since 1865.

The principle of maintaining it as a Society of Graduates was strictly adhered to, the chief changes introduced being three: (1) The connection with the Professoriate was emphasised by adding to the two Chichele Chairs of 1858 the Regius Chair of Civil Law, and the Vinerian Chair of English Law, together with two subsidiary Readerships. (2) The ordinary Fellowships, fourteen in number, were limited to seven years, and were to be awarded in either Law or History, the subjects being now separated in accordance with the separation in the Final Schools of the University. These were to be renewable, but if so the value of the Fellowship is reduced to £50; and by an unwritten convention such renewed Fellowships are resigned six months after marriage. This introduction of terminable Fellowships is especially interesting, since it was a proposal made as early as 1549 by the first Commission which modified the original constitution. (3) A contribution annually of £500, and not more than £1000, "towards the education of undergraduate students in the University," was imposed on the College. In practice this has taken the form of maintaining the four "Bible Clerkships," and of a payment to the Delegacy of non-collegiate students. The new scheme also included the power to elect "research Fellows" for seven years, "to carry on some definite literary or scientific work," and the annual payment of a sum not

exceeding £1000 to the Bodleian Library. "Agricultural depression" has so far prevented these proposals from being fully carried out, though under the "research clause" the College has added to its Register the name of the most distinguished of living seventeenth-century historians, Mr. S. R. Gardiner.

To sum up, All Souls to-day consists of five elements: (1) the Professor Fellows; (2) Fellows elected prior to the new Statutes of whom three date their elections previously to the "Ordinances" of 1858; (3) the Law or History "Prize Fellows"; and (4) the small intermediate class of re-elected Prize Fellows on "the fifty pound foundation"; (5) "official Fellows," *i.e.*, those who hold a College office, one or other of the two Bursarships and the Librarianship, the number being limited to these three.

Comment on the results and working of a scheme so recent in date is neither desirable nor possible. But a few facts will not be out of place. Since 1881 the annual election of "Prize Fellows" has been maintained (and occasionally at no small sacrifice) in almost unbroken succession, and in this respect All Souls has probably a better record than any college in Oxford: the resident members have associated themselves with the teaching and lecturing required for the University Schools in Law and History, even in that of *Literæ Humaniores* and Theology; the College Lecture Rooms are now open to all students in the University, and if numbers constitute success All Souls may claim to be amongst the most successful of the educational institutions in Oxford; granted that a shrinking income has prevented continuous financial assistance to the Bodleian,

the College has not failed in its duty to its own Library, and has, though under no statutory requirement, voluntarily made good the havoc wrought by "agricultural depression" in the Codrington Trust—with results familiar to every lawyer and many historical students; nor is it possible any longer for a prehistoric porter to make the famous reply to the visitor awed by the serried phalanxes of tomes on the shelves: "And do the Fellows read the books, ma'am? (With increasing scorn) Read the books! why, they've no call to read books, they're all *gentlemen*!" The catalogue, indeed, bears almost embarrassing testimony to the yearly increasing contributions of the past and present *alumni* of All Souls to the literature of the last four decades—from grave to gay, from lively to severe. A cynic might almost be tempted to reflect that the Fellows since 1858 have acted on Disraeli's witticism, "When I want to read a book, I write one!" Lastly, the members of the College not permanently resident have left, and are leaving to-day, their record in the annals of the other British Universities, the Bar and the Bench, the Church, the Civil and Diplomatic services, in Parliament and the Councils of the Empire. Should the College in the future have to speak in the gate with another Royal Commission, it will at least be able to claim that it has faithfully and loyally striven to fulfil the obligations imposed upon it. It only remains to add that since 1881 All Souls has been presided over by its first lay Head (if we exclude the "Pseudo-Custos" of the Commonwealth), the present Vice-Chancellor of the University. Some time hence it will be the pleasant duty of the College annalist to express what the

generations since the last Commission feel that the College and themselves owe to one who for the last seventeen years has occupied the chair of Andrewe, Hobbys, Warner, Hovenden, Sheldon and Gardiner—the chair of the great Wardens of the past.

MISCELLANEA

THE following is the version of *The Mallard Song* as sung
by the Lord Mallard in the College to-day :

The Griffin, Bustard, Turkey, Capon,
Let other hungry mortals gape on,
And on their bones with stomach fall hard,
But let All Souls men have their Mallard.

Chorus.

O by the blood of King Edward,
O by the blood of King Edward,
It was a swapping, swapping Mallard !

The Romans once admired a Gander
More than they did their best Commander,
Because he saved, if some don't fool us,
The place that's named from the scull of Tulus.

Chorus.

O by the blood of King Edward,
O by the blood of King Edward,
It was a swapping, swapping Mallard.

The poets fained Jove turned a Swan,
But let them prove it if they can ;

As for our proofs it's not at all hard,
He was a swapping, swapping Mallard.

Chorus.

O by the blood of King Edward,
O by the blood of King Edward,
It was a swapping, swapping Mallard.

Then let us drink and dance a Galliard
In the remembrance of the Mallard,
And as the Mallard doth in poole
Let's dabble, dive, and duck in bowl.

Chorus.

O by the blood of King Edward,
O by the blood of King Edward,
It was a swapping, swapping Mallard.

The critics, it is worth noting, have failed to decide satisfactorily which of the many Royal Edwards in English history is immortalised in the stirring chorus; and there is little hope of settling the point until the as yet unknown author of the song is discovered.

PICTURES IN THE HALL.

Henry the Sixth; *Archbishop Chichele* (Sir J. Thornhill); *Lord Chancellor Northington* (Thomas Hudson); *T. Linacre* (replica of original in Kensington Palace attributed to Quintin Matsys [?]); *Warden Tracy* (Sir T. Lawrence); *Warden Isham* (William Owen, R.A.); *Jeremy Taylor* (a fine original, but artist unknown, presented by Mrs. Wray); *Sir W. Blackstone* (copy of original by Gainsborough); *Bishop Brownlow North* (Henry Howard, R.A.); *Lord Chancellor*

Talbot (artist unknown); Bishop *Trevor* (Gainsborough, presented by Viscountess Hampden); Archbishop *Vernon Harcourt* (J. Phillips, R.A.); *Sir Christopher Wren* (copy of original by Kneller, now in the National Portrait Gallery); *Sir J. H. Newbolt* (artist unknown, presented by Lady Newbolt); *Sir John Bligh* (H. W. Pickersgill, R.A.); Bishop *Tanner* (copy of original at Christ Church); *Sir N. Lloyd* (Sir J. Thornhill); Bishop *Stuart* (E. Jackson, R.A.); *Edward Young* (J. Highmore, the only original portrait of Young extant); Lord Chief Justice *Sir J. Willes*; Bishop *Thomas* (G. Hayter); *George Clarke* (Kneller); Bishop *Bagot* (H. W. Pickersgill, R.A.); *Thomas Sydenham* (E. Jackson, R.A., presented by Dr. Lathom); Bishop *Heber* (J. Phillips, R.A.); *Sir Christopher Codrington* (Sir J. Thornhill); *Sir Charles Vaughan* (Lawrence); Bishop *Legge* (H. P. Briggs, R.A.); Archbishop *Sheldon* (artist unknown); Warden *Leighton* (W. B. Richmond, R.A.); *The Marquis of Salisbury* as Chancellor of the University (W. B. Richmond, R.A.); *Sir W. Heathcote* (the picture is unsigned); and the present Warden, *Sir W. R. Anson* (H. Herkomer, R.A.).

Over the mantelpiece are two paintings by Sir J. Thornhill, viz., *The Finding of the Law* (based on 2 Kings, xxii.), and *The Foundation of the College* (with a portrait of George Clarke). Above the doorway is Roubiliac's Bust of the Founder.

There are also in the Warden's Lodgings portraits of the following, bequeathed by George Clarke: Warden Finch, Warden Astley, Dr. Clarke, Christopher Codrington, General Monk, and King Charles I. (attributed wrongly to Vandyck and bearing the interesting inscription: "Portrait of His Most Sacred Majesty as he appeared before the pretended Court of High Commission"), and two of Clarke himself. Later were acquired the following portraits:

Wardens Sneyd, Legge, Isham, Tracy, Niblett; and one of Dr. Buckler, the author of *The Stemmata Chicheleiana*.

THE CODRINGTON LIBRARY.

The Reading Room of the Library, it may be worth while to state, is open daily from 10 to 4 in full term and on other days from 11 to 4, except from August 1 to October 1.

About 100 new readers are admitted each year. The number of books in the Library is probably well above 80,000, and increases yearly on the average by some 500 to 600 volumes. Of the subjects, Law and its cognate branches naturally predominate, though the Modern History section is in certain departments very well represented. The stately presence of numerous sixteenth- and seventeenth-century theological and medical works points to the prominence of these studies in the College at that time. It is not easy to select for notice where the choice is so large, but the following are all interesting and valuable: *The Treatise of Tyrannius Rufinus of Aquileia on the Apostles' Creed*, formerly ascribed to St. Jerome and dated "1468," (most probably a mistake for "1478"). It was given by Benjamin Buckler in 1756, and is an example of the first production of the Early Oxford Press. (For full particulars cf. Madan, *Early Oxford Press* [Oxford Historical Society], pp. 245-252.) Bound up with this is Aretinus' *Translation of the Nicomachean Ethics of Aristotle*, 1479; another example of the Early Oxford Press (cf. Madan, *op. cit.* p. 253). Another example of the same Press is John Lathbury's *Commentary on the Lamentations of Jeremiah* (1482), presented by John Gawent, a former Fellow. As Mr. Madan explains (*op. cit.* p. 256): "This copy is remarkable from the fact that four names, apparently of parchment sellers, occur as

signing certain leaves, showing that the pieces were sold in bundles of eight (?)." As is but fitting the next in date is a volume of Lyndewode's *Provincial Constitutions* (1483), and to the same year belongs one of the literary treasures, viz., Gower's *Confessio Amantis*, printed by Caxton. Two samples of early German printing call for notice, viz., *The Grammatica Decani* (by John of Westphalia, 1485) and *The Nuremberg Chronicle* (1493), with Wohlgemuth's woodcuts and the unpaginated leaves—two copies. Linacre's fame is perpetuated by his *Translation of Galen* (1521), the first book printed at Cambridge. Lydgate's *Bockas* (1527) and Sebastian Brandt's *Sleep of Fooles* (1570) bring us back to general literature, while the Reformation movement represents itself in *The Coverdale Bible* (1535) and *The Matthews Bible* (1537). Le Feron's *Simbol Armorial* (1555) is a good example of another aspect of the sixteenth century. For the seventeenth century we have the Third Folio (1663) and the Fourth Folio (1685) of Shakespeare; and of Milton, the first edition of *Paradise Lost* (1669), the second (1674), and the third (1674), as well as the first (1671) and the second (1678) editions of *Paradise Regained* and *Samson Agonistes*. The Library, it is perhaps worth finally noting, possesses two books from the royal library of Henry IV., viz., (1) *Vaticanæ Lucubrationes De Tacitis et Ambiguis Conventionibus*—Auctore Francisco, T.T.S., Mariæ de Populo, S.R.E., Presb. Card. Mantica, ex typographia Vaticana MDCIX.—in two ponderous volumes finely bound in red leather, embossed with the arms of France in gold and surrounded by an elaborate border of "H's," surmounted by crowns; (2) *Le Livre des Statuts et ordonnances de l'ordre du Benoist Saint Esprit*—drawn up for Henry III. in 1578.

There is also, as noted in the text (p. 130), a series of Wren's drawings, containing the original designs for St.

Paul's Cathedral, the Westminster Dormitory, plans for rebuilding London after the great fire, and many others. They were bound up in four large portfolios in red russia leather by Blackstone, and are a beautiful testimony to Wren's splendid draughtsmanship. The second volume, devoted particularly to the St. Paul's designs approved by the King, is prefaced by a letter signed by Henry Coventry, a Fellow of the College and Secretary of State, and superscribed with the autograph "Carolus R."

Attention may also be drawn, amongst other interesting things, (1) To the *death mask* of Wren's face bequeathed to the College by Sir Christopher's great granddaughter, on which his biographer, J. Elmes (p. 512), is moved to say: "I have contemplated it with calm delight; it was as placid as sleep, and resembling, as his friend Steele says of Dr. South, 'that of the Saints,' might well be called falling asleep." (2) To the "*Orrery*" placed beside the Codrington statue. This is a planetarium designed by G. Graham (1675-1751) and called after his patron Charles Boyle, fourth Earl of Orrery, "Orreries." It does not show Uranus, nor Neptune, nor take account of Leap Year, but otherwise, as a visitor from Whitechapel remarked with surprise, "it's still a-goin'," and in the serene silences of Codrington's Hall ticks out "the little lives of men." (3) To the Case immediately behind the "Orrery." This is filled with various articles found when digging the foundations of the new Coffee Room in the summer of 1896. Their date ranges from the reign of Elizabeth to that of George I., i.e., to the time when the new Common Room was built in Warden Gardiner's day. The discovery greatly delighted numerous antiquaries, for the articles include Greybeards (caricatures of Cardinal Bellarmine) of the seventeenth century, Lambeth pottery of the same date, Flemish pottery of the time of William III., metal candlesticks,

wine tasters and wine coolers with the College arms, glass wine flagons, handsomely shaped and with the arms of their owners cut on them, a metal tankard with cover dated 1638, a money box and some clay pipes. A fine glass goblet is especially interesting; it has on its base the inscription, *Receptis dulce mihi est furere amicis*, and, round the bowl, the words *To the remembrance of the*, and the remainder is supplied by a drawing of the Mallard. Most puzzling of all is a mutilated double wooden musical fife (f), which musical specialists pronounce to be of amateur workmanship, since such were not made in the seventeenth century.

THE MSS. IN THE LIBRARY.

The Library is rich in MSS., accumulated during three centuries, for as Dr. Coxe has pointed out in his Catalogue, All Souls only possessed fifty volumes when Dr. Bernard made his Catalogue in 1697, whereas it now numbers some 300 separate entries. The character of the MSS. is akin to that of the printed books, works on Theology, Canon and Civil Law, Medicine and History predominating. Under the first head may be mentioned: Cod. v. viii. ix., containing the books of the New Testament "of the 12th, 13th and 14th centuries"; Cod. x., a French translation of the New Testament of the fifteenth century; and various illuminated missals, several of which were exhibited in 1896 by the Society of Antiquaries in their collection of English Missals. Under the Law heading comes copies of the *Decretals* of Boniface, and the *Digest* with the Commentaries of Azzo, Accursius, and others, and the ecclesiastical constitutions of Archbishops Otto and Peckham, largely utilised by Wilkins in his *Concilia*. In the materials for English history "the library is particularly remarkable," the earliest apparently being a twelfth-century copy

of Malmesbury's *De Gestis Regum*, as well as examples of his *Historia Novella*, and of the histories of Hovenden, Geoffrey of Monmouth, and Matthew of Westminster, and a "translation of a part of Peter Langtoft's metrical chronicles upon the Wars of Edward I. in England and France." At the end of the eighteenth century Luttrell Wynne, a Fellow, bequeathed more than one hundred volumes of Parliamentary Journals and State Papers which had been collected by his ancestors Narcissus Luttrell and Owen Wynne. Cod. clxvii. contains "The Alarme: by Andrew Marvell," with the remark on the margin, "very scandalous in severall passages"; Cod. clxvi. a set of interesting papers on "The Popish Plot," one item of which—"Mr. Oates his impeachment of the queen given upon oath to me Henry Coventry" (a Fellow of the College)—has written on the margin the grim comment, "a shamm story."

Under what may be called General Literature are several very interesting items. Cod. lxxxii., lxxxiii.—MSS. of the works of Virgil and the tragedies of Seneca—would probably appeal only to classical specialists, but Cod. xcvi., containing a volume of the poems of John Gower, is probably the MS. most often consulted in the Library. With it may be ranked Cod. cxvii., a "Catalogue of all such books touching as well the state ecclesiastical as temporal of the realm of England," from Henry VII. to 1631, with the price of each written on the margin by Humphry Dyson; while Cod. cxix. contains "The orders conceyued and agreed uppon by the company exercizing the arte of ringing, knowne and called by the name of the schollers of Cheap-syde in London." Other MSS. contain (cxvi.) "a collection of Satirical Songs and Satires in the reign of Charles II." attributed to the Earl of Rochester, a truly Restoration production; a Calendar (cxx.) of the affairs of the Company of White Bakers collected "by mee Owen Bete,

Clerke unto the Company 1630"; the famous "libelle of Englische polycie," (ciii.) of the fifteenth century; and the Life of Dante by Boccaccio. Some recent additions from their connection with members of the College cannot be passed over. In 1895 was acquired at the Phillipps' sale a MS. copy of the English version of *The Life of Henry Chicheley*, by Arthur Duck, which probably dates from 1699, in which year the English translation of the Latin version of 1617 was published. Twenty years earlier, in 1876, were acquired various Blackstone MSS., viz., (1) *The Elements of Architecture*, written 1743 and revised up to 1747; (2) *The Dissertation on the Accounts of All Souls College*" (see p. 191); (3) thirty-five volumes of notes of lectures on the Commentaries. These are not in Blackstone's handwriting, and may represent either a copy made by an amanuensis, or notes taken by a student for the Professor.

With these may be classed Cod. cix.—Ten volumes on paper containing a course of lectures on Jurisprudence and Civil Law by T. Bever, Fellow of All Souls, read in the Vinerian Law School in 1762. They were bequeathed to the College Library on the condition that they should never be printed.

Above the tier of bookshelves in the gallery are placed a series of "bustoes" which Blackstone was "empowered to order" for the final adornment of the Library. The list is as follows: Antony Sherley (1582), William Petre (1523), George Clarke (1680), Daniel Dunn (1567), Henry Coventry (1634), William Trumbull (1657), Robert Weston (1536), Charles Talbot (1704), Christopher Wren (1653), Richard Steward (1613), Thomas Tanner (1696), James Goldwell (1441), Gilbert Sheldon (1622), Brian Duppa (1612), David Pole (1520), Jeremy Taylor (1635), John Norris (1680), Thomas Sydenham (1648), Thomas Lynaker (1484), Clement Edmonds (1590), William Byrde (1578),

Nathaniel Lloyd (1689), Robert Hovenden (1565), John Mason (1521). The bust of Chichele is placed above the entrance from the Great Quadrangle.

THE ARCHIVES.

The College Archives are singularly full and interesting. They were thoroughly assorted and arranged by Mr. Trice Martin, F.S.A., of the Record Office, between 1874 and 1877, and a catalogue on the model of a Calendar of State Papers, drawn up by him, has been published. The documents are at present kept in two rooms specially built for them at the western end of the Codrington Library, and stored in presses, amongst which is the solid oaken cabinet of Warden Hovenden, with its motto ("Confectum, 1582"), and a new oaken cabinet provided by the present Warden (Sir W. R. Anson). The Archives were originally kept along with "the plate and goodes" in "twoe chests" in the rooms of the tower over the gateway which served as the treasury of the College. In 1728 this room was "arched with brick or stone for the security of the muniments from fire"; but in 1766 it was ordered (Aug. 8) "that the southern room at end of the Library up one pair of stairs be fitted up for a repository for the Archives," and on Oct. 3 they were moved to their present new quarters. The last serious use made of the old Muniment Room above the tower gateway was in 1802, when on July 20 "the arms" purchased for the University Corps against Napoleon's coming were "deposited" there.

The bulk of the documents naturally consists of leases and title-deeds, which in many cases go back to the thirteenth and even the twelfth century. "The earliest deeds," pronounces Mr. Martin, "are a grant by Roger of

Salford to Walter Rufus in the year 1189, the charter of exemption granted by King John to the Friars of Grandemont in 1203, to which a fragment of the King's great seal is still attached." Amongst earlier undated deeds "are a letter from Henry II. to the Bishop of Lincoln, the grant of Whadborough by Henry II. to Tulk Fitzwarin, the hero of the French romance which bears his name, and a letter from William of Anjou to King John—extremely curious as letters from private persons of this date are of the highest rarity." The next most prominent part of the Archives is the mass of correspondence bearing on the affairs of the College, including "signed letters from eight Sovereigns of England," viz., Edward IV., Henry VII., Henry VIII., Elizabeth, James I., Charles I., Charles II., James II.

There are also numerous letters from almost every Archbishop of Canterbury "since Warham." Laud's last letter written from the Tower has already been noticed (p. 183). This section also contains the original charters, with seals showing "some very fine specimens of mediæval work, both ecclesiastical and heraldic," amongst which may be particularly noted that attached to Archbishop Stafford's Indulgence of 1444, which represents the murder of Becket.

The remainder of the Archives contain the collection of "Computus and Expense Rolls, Rent Rolls, Bursars' Books, &c."

There is also, not in the Archives, but in the custody of the Warden, a mass of books and papers, containing excerpts from the Archives, copies of the Statutes with annotations and much correspondence. This collection also contains the Register of the Fellows from the Foundation, and the Wenman MSS.

THE COLLEGE PLATE.

As explained in the text (p. 117) the plate of to-day contains very few articles prior to the Restoration (1660) and therefore hardly calls for detailed notice. But some three or four pieces have been saved from the melting-pot of Charles I. and these are important. (1) *The Founder's Salt Cellar*—a standing salt of the fifteenth century of great beauty and magnificence. The technical description from Mr. Cripps' *College and Corporation Plate* (Chapman and Hall, 1881) is as follows: "Standing salt, formed of a circular pacted crystal in silver gilt mounts, with a cover of cut glass probably replacing the original crystal. It is borne on the head of a huntsman or wild man of silver gilt, clothed in a loose tunic with black pointed buskins, having a hunting-knife suspended in his belt, the face and the hands painted in natural colours. The base is coloured green and covered with painted figures, on a small scale, of various wild animals, dogs, and huntsmen. In the centre is a large figure, fully coloured, playing on the bagpipes. Round this base is a battlement with eight circular turrets. The cover is surmounted by a finial in form of an artichoke, partly coloured green"; and Mr. Cripps adds: "The oldest and quaintest of salts in any English collection, it must still be questioned whether it is of English make," though his inference that it was bequeathed by Archbishop Chichele is not correct, for it only came into the possession of All Souls in the eighteenth century. A drawing of the salt will be found in Mr. Cripps' book, p. 29, and there is a facsimile reproduction now in the collection at South Kensington Museum. The original has been deservedly requisitioned for exhibition on several occasions.

(2) *A Mazer* or "drinking bowl," dated *circa* 1450,

"undoubtedly English, made of maple wood with a deep rim of silver gilt, the band of the mount plain. Diam., 6 in., rim $1\frac{1}{4}$ in. deep." See for a reproduction, Cripps, *op. cit.* p. 30.

(3) *A Communion Cup* of 1564, "with two belts of the usual fashion, one round the middle and the second round the outer rim."

(4) "A Mazer Bowl on Foot" (1529), "mounted on silver-gilt foot and stem. English. Height 6 in., diam. of bowl $4\frac{3}{4}$ in." A reproduction may be found in Cripps', *op. cit.* p. 61, and is interesting "though of so late a date as 1529," because of its "Gothic fashion, though the cresting round the foot shows a good deal of Renaissance detail."

(5) *Cup and Cover*, silver gilt with two handles, *temp.* Charles II. This is a porringer or broth bowl ornamented with cut cardwork, engraved with the arms of Clarke and the initials G. C., showing that it was one of his numerous gifts to All Souls.

(6) Mr. Cripps also notices, *op. cit.* p. 16, "a fragment of some fine cup made of a nautilus shell, now lost; it is of silver gilt and of the form of a filled-up horseshoe, but having a semi-elliptical opening at the larger end, such as would receive the central curve of a nautilus shell," which he refers to the same date as the well-known magnificent Pembroke enamelled coffer (*circa* 1290-1300), one of the chief glories of the South Kensington collection.

To these may be added the two Communion *Crevets* given by Warden Andrewes, *circa* 1440, which were spared by their sacred character in 1643. These are two handsome silver-gilt vessels, flagon shaped, with deeply fluted bowls and bases, each having weighty stoppers attached by a heavy silver-gilt chain (in form very much like an ordinary ourb chain). The staples on either side of the

bowl to which the chains are fastened are modelled into curved swans' necks, thus presenting the appearance of semi-swan supporters (a reference probably to the swan supporters of the Founder's Arms). The crewets, exclusive of the stoppers, stand fourteen inches high and the circumference of the bowl at its widest is twenty-one inches.

THE FOUNDER'S TOMB.

Allusion has repeatedly been made in the text to the Founder's Tomb, particularly to the recent restoration of it (1897-1899). It is desirable therefore to specify here more precisely what exactly has been done, as the restoration has caused great interest amongst antiquaries, as well as among the numerous visitors to the Cathedral. The course of events has been singularly like that which resulted in the great restoration of the Chapel (1869-1875). In 1896 it had become clear that in order to preserve the Chichele monument some repairs were necessary. A detailed examination of the structure showed that as with the Chapel in 1869 two courses were possible: (1) simply to make the structural alterations necessary for preserving the monument as it then existed, *i.e.*, as it had been "restored" by Warden Meredith (1662-1665); or (2) to carry out a real "restoration" and bring the monument back as far as possible to its original form. Needless to say, (2) was the more expensive plan.

Acting on the advice of the expert opinion of Mr. C. E. Kempe, aided by a College Committee specially appointed, the College decided to adopt the second plan. This policy, it is well to add, was rendered possible by the generous contributions of the Warden and several of the Fellows who undertook practically to double the sum voted for the purpose from the Corporate Funds. The work of "restora-

tion" was then entrusted to Mr. Kempe, assisted by the Committee already appointed; and the general result has been completely satisfactory, not merely in the eyes of the College, the Dean and Chapter, but of the public. Indeed, it may be questioned whether there is now a finer fifteenth-century tomb in England.

The main changes have been: (1) The removal of all the unquestionable seventeenth-century accretions—so out of harmony with the general form, so inartistic in conception, and so poor and vulgar in execution. Eleven of the best of the figures so removed from the niches have been placed on the screen and on a niche adjacent to the tomb. (2) A restoration of the canopy above the recumbent figure. (3) The repair and restoration of the blue and gold trellis below the canopy. (4) The repair of the figure of Chichele himself, and the introduction of correct colours into the vestments in which he is represented. (5) The replacing of the Cross in the hand of the Archbishop (a clumsy copy in wood of the age of Charles II.) by one based on a design obtained from the Cross of Archbishop Cranley at New College, various contemporary brasses in the Cathedral, and that on Cardinal Morton's monument. (6) Filling in the vacant niches with figures—saints connected with All Souls College, persons connected with Chichele himself, and canonised Archbishops of Canterbury. (7) The erection of enamelled shields of metal along the border of the canopy. (8) And not least, painting and gilding the whole in red, blue and gold according to indications found on the tomb itself and expert knowledge of the principles of fifteenth-century decoration.

The total cost may be stated at about £600. And most visitors to the Cathedral now will be of opinion that the money has been well spent. One word more. During

the last visit of the present writer to Canterbury he and others were informed that the College "was *bound by its Statutes* to restore the tomb every fifty years." This, it will be well to add, is an additional and imaginative piece of embroidery which the researcher will fail to find in any Statute Book known either to the Founder himself, or the present generation. But, in so far as it emphasises that gratitude to a munificent Benefactor can be more binding than even printed statutes, it does express a real truth.

·ATHLETICS.

It would not be accurate to assert, as of the snakes in Iceland, that there are no athletic records for the past and present members of All Souls. But as these achievements will have been duly immortalised in the other volumes of this series it would serve no purpose to repeat them here.

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* Signifies Warden; § Benefactor; † Fellow; ‡ to be found in the "Dictionary of National Biography." The Visitors are printed in Capitals.

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